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Regulations

TITLE 6—AGRICULTURAL CREDIT Chapter III—War Food Administration (Farm Security)

Subchapter G—Farm Ownership

PART 367—LOCALITY DESIGNATIONS

DESIGNATION OF LOCALITIES FOR LOANS

§ 367.58 *Designation of localities in counties and parishes in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.* (a) In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the counties and parishes mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of said rules and regulations. A description of the localities and the determination of value for each follow:

REGION I—PENNSYLVANIA

WASHINGTON COUNTY

Locality I: Consisting of the townships of Buffalo, Canton, Carroll, Cecil, Chartiers, Hopewell, Mt. Pleasant, North Franklin, Nottingham, North Strabane, Peters, Somerset, South Strabane, Union; cities of Monongahela and Washington; boroughs of Cannonsburg, New Eagle, and West Middleton, \$6,928.

Locality II: Consisting of the townships of Amwell, Blaine, Cross Creek, Donegal, East Bethlehem, East Finley, East Pike Run, Falowfield, Hanover, Independence, Jefferson, Morris, North Bethlehem, Robinson, Smith, South Franklin, West Bethlehem, West Finley, West Pike Run; boroughs of Allensport, Beallsville, Bentleyville, Burgettstown, Centerville, Claysville, Deemston, Dunlevy, Ellsworth, Long Branch, McDonald, Speers, Stockdale, Twilight, and West Alexander, \$4,940.

REGION II—MINNESOTA

MARSHALL COUNTY

Locality I: Consisting of the townships of Alma, Augsburg, Big Woods, Blecker, Boxville, Donnelly, Eagle Point, Fork, McCrea, Middle River, Oak Park, Parker, Slinnett, Tamara, Vega, Wanger, and Warrenton; villages of Argyle, and Stephens; city of Warren, \$8,858.

Locality II: Consisting of the townships of Agder, Cedar, Como, Comstock, East Park, East Valley, Eckvold, Espelle, Excel, Foldahl, Grand Plain, Holt, Huntley, Lincoln, Lincell, Marsh Grove, Moose River, Moylan, Nelson Park, New Folden, New Maine, New Salem, Rollis, Spruce Valley, Tule Lake, Valley, Veldt, Viking, West Valley, Whiteford, and Wright; villages of Grygla, Holt, Middle River, Newfolden, Strandquist, and Viking, \$3,487.

REGION III—INDIANA

MARSHALL COUNTY

Locality I: Consisting of the townships of Green, Polk, Union, and West, \$5,809.

Locality II: Consisting of the townships of Bourbon, Center, North, Walnut, German, and Tippecanoe, \$8,057.

SPENCER COUNTY

Locality I: Consisting of the townships of Luce and Ohio, \$6,576.

Locality II: Consisting of the townships of Grass and Hammond, \$4,514.

Locality III: Consisting of the townships of Carter, Clay, Huff, Harrison, and Jackson, \$3,292.

REGION IV—WEST VIRGINIA

PRESTON COUNTY

Locality I: Consisting of the districts of Kingwood, Lyon, and Reno, \$2,388.

Locality II: Consisting of the districts of Grant, Pleasant, Portland, Union, and Valley, \$3,209.

REGION V—ALABAMA

BARBOUR COUNTY

Locality I: Consisting of the precincts of Faulks and Readers Mill, \$1,310.

Locality II: Consisting of the precincts of Mount Andrew and Starr Hill, \$1,160.

Locality III: Consisting of the precincts of Clayton, Cox's Mill, Grants, and Louisville, \$2,149.

Locality IV: Consisting of the precincts of Belcher, Cotton Hill, Eufaula, Fort Browder, Hawkinsville, Richards, Spring Hill, and Williams, \$1,539.

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| Locality II: Consisting of precincts 4, 5, 6, 7, 8, 14, 18, 19, 20, and 23, \$1,696. | |
| CHILTON COUNTY | |
| Locality I: Consisting of precincts 1, 5, 11, 12, 13, and 16, \$1,376. | |
| Locality II: Consisting of precincts 7 and 8, \$1,356. | |
| Locality III: Consisting of precincts 2, 3, 4, 6, 9, 10, 14 and 15, \$1,868. | |
| ESCAMBIA COUNTY | |
| Locality I: Consisting of precincts 6, 7, and 8, \$4,500. | |
| Locality II: Consisting of precincts 4 and 5, \$2,193. | |
| Locality III: Consisting of precincts 1, 2, 3, and 9, \$1,896. | |
| LAUDERDALE COUNTY | |
| Locality I: Consisting of precincts 17 and 18, \$1,207. | |

Locality II: Consisting of precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 19, \$2,713.

WALKER COUNTY

Locality I: Consisting of precincts 4 and 34, \$939.
 Locality II: Consisting of precincts 5 and 26, \$1,208.
 Locality III: Consisting of precincts 0, 7, 18, 29, and 31, \$937.
 Locality IV: Consisting of precincts 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 23, 30, and 37, \$1,186.
 Locality V: Consisting of precincts 1, 2, 3, 8, 9, 17, 22, 24, 25, 27, 28, 30, 32, 33, and 35, \$1,548.

REGION VI—LOUISIANA

CATAHOULA PARISH

Locality I: Consisting of wards 3 and 4, \$2,018.
 Locality II: Consisting of wards 1, 2, 5, 6, and 7, \$2,764.

VERMILION PARISH

Locality I: Consisting of Ward 1, \$2,457.
 Locality II: Consisting of Ward 2, \$5,743.
 Locality III: Consisting of Ward 3, \$4,473.
 Locality IV: Consisting of Ward 4, \$2,827.
 Locality V: Consisting of Ward 5, \$5,494.
 Locality VI: Consisting of Ward 6, \$5,571.
 Locality VII: Consisting of Ward 7, \$6,489.
 Locality VIII: Consisting of Ward 8, \$12,022.
 Locality IX: Consisting of Ward 9, \$5,557.

REGION VIII—OKLAHOMA

ADAIR COUNTY

Locality I: Consisting of the townships of Baron, Stilwell, and Westville; towns of Stilwell and Westville, \$1,804.
 Locality II: Consisting of the townships of Ballard and Chance, \$1,643.
 Locality III: Consisting of the townships of Bunch, Christie, and Wauhatchie, \$1,290.
 Locality IV: Consisting of the township of Lees Creek, \$1,068.

MAYES COUNTY

Locality I: Consisting of the townships of Adair, Center, Choteau, Hogan, Mazie, and Rider; towns of Adair, Choteau, and Pensacola; and Pryor Creek City, \$4,412.
 Locality II: Consisting of the townships of Bryan, Murphy, River, and Saline; towns of Locust Grove, Salina, and Strang, \$1,929.

TEXAS

COMANCHE COUNTY

Locality I: Consisting of Precinct 1, \$4,548.
 Locality II: Consisting of Precinct 2, \$2,528.
 Locality III: Consisting of Precinct 3, \$3,573.
 Locality IV: Consisting of Precinct 4, \$2,693.
 Locality V: Consisting of Precinct 5, \$2,729.
 Locality VI: Consisting of Precinct 6, \$3,364.

ERATH COUNTY

Locality I: Consisting of Precinct 1, \$2,847.
 Locality II: Consisting of Precincts 2, 3, and 4, \$3,231.
 Locality III: Consisting of Precinct 5, \$7,318.
 Locality IV: Consisting of Precincts 6 and 7, \$3,699.
 Locality V: Consisting of Precinct 8, \$2,336.

(b) The purchase price limits previously established for the counties and parishes above-mentioned are hereby cancelled.

Approved November 20, 1943.

R. W. HUDGENS,
 Acting Administrator

[F. R. Doc. 43-18764; Filed, November 22, 1943; 4:54 p. m.]

PART 367—LOCALITY DESIGNATIONS

DESIGNATION OF LOCALITIES FOR LOANS

§ 367.59 *Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.* (a) In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VII—SOUTH DAKOTA

BROWN COUNTY

Locality I: Consisting of the townships of Aberdeen, Allison, Carlisle, Franklyn, Frederick, Garland, Highland, Lincoln, Mercier, New Hope, Oneota, Osceola, Palmyra, Ravinia, Warner, and Westport; city of Aberdeen; town of Frederick, \$6,444.

Locality II: Consisting of the townships of Bates, Bath, Brainard, Cambria, Claremont, Columbia, Detroit, Garden Prairie, Gem, Greenfield, Groton, Hanson, Henry, Lansing, Liberty, Ordway, Portage, Putney, Richland, Riverside, Rondell, Savo, Shelby, and West Hanson; cities of Columbia, Groton, and Hecla; towns of Claremont, Stratford, and Verdon, \$8,773.

REGION VIII—TEXAS

MARION COUNTY

Locality I: Consisting of Precinct 1, \$440.

Locality II: Consisting of Precinct 2, \$1,059.

Locality III: Consisting of Precinct 3, \$1,712.

Locality IV: Consisting of Precinct 4, \$1,727.

Locality V: Consisting of Precinct 5, \$1,046.

Locality VI: Consisting of Precinct 6, \$646.

(b) The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved November 20, 1943.

R. W. HUDGENS,
Acting Administrator

[F. R. Doc. 43-18765; Filed, November 22, 1943;
4:53 p. m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration
(Production Orders)

[FDO 79-6, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN RICHMOND, VA.,
SALES AREA

Pursuant to the authority vested in the Director by Food Distribution Order No. 79, dated September 7, 1943 (8 F.R. 12426), as amended, and to effectuate the purposes thereof, Director Food Distribution Order No. 79-6, § 1401.39, relative to the conservation of fluid milk in the Richmond, Virginia, milk sales area (8

F.R. 13370) issued by the Director of Food Distribution on September 30, 1943, is amended as follows:

The milk sales area described in § 1401.39 (b) of the original order is modified in the following particulars: Add the magisterial district of Ashland in Hanover County; the magisterial district of Dale in Chesterfield County; and the magisterial district of Dover in Goochland County.

Effective date. This amendment of FDO No. 79-6, shall become effective at 12:01 a. m., e. w. t., December 1, 1943.

(E.O. 9280, 8 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 79, 8 F.R. 12426, 13283)

Issued this 22d day of November 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-18770; Filed, November 22, 1943;
5:00 p. m.]

[FDO 79-10, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CANTON, OHIO,
SALES AREA

Pursuant to the authority vested in the Director by Food Distribution Order No. 79, dated September 7, 1943, (8 F.R. 12426) as amended, and to effectuate the purposes thereof, Director Food Distribution Order No. 79-10, § 1401.43, relative to the conservation of fluid milk in the Canton, Ohio, milk sales area (8 F.R. 13374) issued by the Director of Food Distribution on September 30, 1943, is amended as follows:

Reduce the quota exemption specified in § 1401.43 (g) of the original order to 50 units, so that the first line reads, "Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 50 units of milk, cream, and milk byproducts"

Effective date. This amendment of FDO No. 79-10, shall become effective at 12:01 a. m., e. w. t., December 1, 1943.

(E.O. 9280, 8 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 22d day of November 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-18771; Filed, November 22, 1943;
5:00 p. m.]

[FDO 79-49, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM, SYRACUSE, N. Y.,
SALES AREA

Pursuant to the authority vested in the Director by Food Distribution Order No. 79, dated September 7, 1943 (8 F.R. 12426), as amended, and to effectuate the purposes thereof, Director Food Distribution Order No. 79-49, § 1401.92, relative to the conservation of fluid milk in the Syracuse, New York, milk sales area

(8 F.R. 14183) issued by the Director of Food Distribution on October 15, 1943, is amended as follows:

The milk sales area described in § 1401.92 (b) of the original order is modified in the following particulars: Add the towns of Cicero, Clay, and Marcellus, in Onondaga County, New York.

Effective date. This amendment of FDO No. 79-49 shall become effective at 12:01 a. m., e. w. t., December 1, 1943.

(E.O. 9280, 8 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; F.D.O. 79, 8 F.R. 12426, 13283)

Issued this 22d day of November 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-18772; Filed, November 22, 1943;
5:00 p. m.]

[FDO 79-52, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN BINGHAMTON,
N. Y., SALES AREA

Pursuant to the authority vested in the Director by Food Distribution Order No. 79, dated September 7, 1943 (8 F.R. 12426), as amended, and to effectuate the purposes thereof, Director Food Distribution Order No. 79-52, § 1401.93, relative to the conservation of fluid milk in the Binghamton, New York, milk sales area (8 F.R. 14188), issued by the Director of Food Distribution on October 15, 1943, is amended as follows:

The milk sales area described in § 1401.93 (b) of the original order is modified in the following particulars: In line 2 of the description of the milk sales area, insert the word "Chenango" after the word "Binghamton" and insert the word "Fenton" after the word "Dickinson," making the description of the sales area read as follows:

The city of Binghamton, and the towns of Binghamton, Chenango, Conklin, Dickinson, Fenton, Kirkwood, Union, and Vestal in Broome County, New York.

Effective date. This amendment of FDO No. 79-52 shall become effective at 12:01 a. m., e. w. t., December 1, 1943.

(E.O. 9280, 8 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 22d day of November 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-18773; Filed, November 22, 1943;
5:00 p. m.]

[FDO 79-53, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ALBANY-SCHENECTADY-TROY, N. Y., SALES AREA

Pursuant to the authority vested in the Director by Food Distribution Order No. 79, dated September 7, 1943 (8 F.R. 12426) as amended, and to effectuate

the purposes thereof, Food Distribution Order No. 79-53, § 1401.90, relative to the conservation of fluid milk in the Albany-Schenectady-Troy, N. Y., milk sales area (8 F.R. 14190) issued by the Director of Food Distribution on October 15, 1943, is amended as follows:

The milk sales area described in § 1401.90 (b) of the original order is modified in the following particulars: By deleting the words "town of Waterford" wherever the same appears therein, and by inserting in lieu thereof the words "towns of Halfmoon and Waterford"

Effective date. This amendment of FDO No. 79-53, shall become effective at 12:01 a. m., e. w. t., December 1, 1943.

(E.O. 9280, 8 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 22d day of November 1943.

ROY F HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-18774; Filed, November 22, 1943;
5:00 p. m.]

[FDO 79-78, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EVANSVILLE, IND., SALES AREA

Pursuant to the authority vested in the Director by Food Distribution Order No. 79, dated September 7, 1943 (8 F.R. 12426) as amended, and to effectuate the purposes thereof, Director Food Distribution Order No. 79-78, § 1401.117, relative to the conservation of fluid milk in the Evansville, Indiana, milk sales area (8 F.R. 14599) issued by the Director of Food Distribution on October 26, 1943, is amended as follows:

The milk sales area described in § 1401.117 (b) of the original order is modified in the following particulars: Delete the phrase, "the magisterial districts of Upper Henderson and Lower Henderson in Henderson County, Kentucky," making the description of the sales area read as follows:

The city of Evansville and the townships of Center, German, Knight, Perry, and Pigeon in Vanderburgh County, Indiana.

Effective date. This amendment of FDO No. 79-78 shall become effective at 12:01 a. m., e. w. t., December 1, 1943.

(E.O. 9280, 8 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 22d day of November 1943.

ROY F HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-18775; Filed, November 22, 1943;
5:00 p. m.]

[FDO 79-80, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MILWAUKEE, WISC., METROPOLITAN SALES AREA

Pursuant to the authority vested in the Director by Food Distribution Order No.

79, dated September 7, 1943 (8 F.R. 12426) as amended, and to effectuate the purposes thereof, Director Food Distribution Order No. 79-80, § 1401.99, relative to the conservation of fluid milk in the Milwaukee, Wisconsin, metropolitan milk sales area (8 F.R. 14601) issued by the Director of Food Distribution on October 26, 1943, is amended as follows:

The milk sales area described in § 1401.99 (b) of the original order is modified in the following particulars: Delete the description of the milk sales area and substitute in lieu thereof the following:

The city of Milwaukee; the counties of Milwaukee, Ozaukee, and Waukesha; the city of West Bend, the towns and villages of Barton, Farmington, Germantown, Jackson, Kewaskum, Polk, Richfield, Slinger, Trenton, and West Bend in Washington County; and the town of Raymond in Racine County, all in the State of Wisconsin.

Reduce the quota exemption specified in § 1401.99 (h) of the original order from 250 to 100 units, making the first sentence read as follows: "Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 100 units of milk, cream, and milk by-products."

Effective date. This amendment of FDO 79-80 shall become effective at 12:01 a. m., e. w. t., December 1, 1943.

(E.O. 9280, 8 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 22d day of November 1943.

ROY F HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-18768; Filed, November 22, 1943;
5:00 p. m.]

[FDO 83-2, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

RELEASE AND INSPECTION OF APPLES

Food Distribution Order No. 83-2 (8 F.R. 14419) §1405.38, issued on October 23, 1943, by the Director of Food Distribution, is amended by deleting therefrom the provisions in § 1405.38 (b) and inserting, in lieu thereof, the following:

(b) *Authorization to sell or deliver restricted apples.* Any person is hereby authorized to sell or deliver to persons other than authorized processors restricted apples which were packed in closed containers prior to October 4, 1943. Any person is authorized to sell or deliver to persons other than authorized processors restricted apples which are restricted apples only because such apples are smaller than 2¼ inches in diameter.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said Director Food Distribution Order No. 83-2, prior to the effective time of this amendment, all of the provisions of the said Director Food Distribution Order No. 83-2 in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

This amendment to said Director Food Distribution Order No. 83-2 shall become effective at 12:01 a. m., e. w. t., November 24, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 83, 8 F.R. 13379)

Issued this 22d day of November 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-18769; Filed, November 22, 1943;
5:00 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial 291]

SPECIAL CIVIL AIR REGULATION

TRAINEES IN PARKS AIR COLLEGE

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 16th day of November, 1943, effective November 16, 1943.

Each person who is listed in the records of Parks Air College or one of its affiliated schools as a trainee in an experimental course of specialized dual flight instruction is hereby authorized to make one solo flight while holding an airman certificate consisting solely of a medical certificate issued by an authorized medical examiner of the Administrator showing that such person meets the physical standards prescribed in § 29.12 of the Civil Air Regulations: *Provided, That*

(a) Such person adheres to all the Civil Air Regulations except as above provided;

(b) The name and address of each such person is submitted in duplicate to the Civil Aeronautics Board prior to the solo flight;

(c) The solo flight is made within sight of and under the personal supervision of a certificated flight instructor.

This Special Civil Air Regulation shall terminate May 15, 1944.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-18809; Filed, November 23, 1943;
11:40 a. m.]

[Orders, Serial 2519, Amdt. 6]

PART 202—ACCOUNTS, RECORDS AND REPORTS

UNIFORM SYSTEM OF ACCOUNTS FOR DOMESTIC AIR CARRIERS

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C. on the 12th day of November 1943.

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) 407 (a) and 407 (d) thereof, and finding its action necessary to carry out the provisions of said Act, and to exercise its powers and perform its duties thereunder:

It is ordered, That the Uniform System of Accounts for Domestic Air Carriers (CAB Form 2780 Manual) as amended, be and the same is further amended as set forth in Amendment No. 6 attached hereto.*

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-18807; Filed, November 23, 1943;
11:40 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1075—CONSTRUCTION

[Conservation Order L-41, Interpretation 3]

EARTH-MOVING OPERATIONS

The following interpretation is issued with respect to Conservation Order L-41:

Under the provisions of paragraph (d) §1075.1 *Conservation Order L-41* it is not necessary to get War Production Board permission for construction of a kind consisting of "grading, ditch-digging or similar earth-moving operations if no cement, lumber or other building materials are used except clay tile and non-reinforced concrete pipe." This applies only to projects which can be completed without the use of any other materials. It does not apply to earth-moving operations which are part of a construction job in which other materials will be incorporated before completion.

Issued this 23d day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18806; Filed, November 23, 1943;
11:22 a. m.]

PART 1111—RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

[General Conservation Order M-100,
Interpretation 1]

PRODUCERS AND DEALERS MUST SELL VEHICLES UPON PRESENTATION OF CERTIFICATES OF TRANSFER OR GOVERNMENT EXEMPTION PERMITS

The following interpretation is issued with respect to General Conservation Order M-100:

It is imperative that producers and dealers having new commercial motor vehicles held for rationing under Conservation Order M-100 should comply with paragraph (e) (§ 1111.1) of that order. This paragraph reads as follows:

(e) *Transfers required.* Any manufacturer or sales agency to whom a Certificate of Transfer or Government Exemption Permit is presented and who has in stock a new

commercial vehicle of the type specified shall transfer such vehicle to the person named therein, irrespective of the terms of any contract of sale or any other commitment with any other person.

Under this paragraph new commercial vehicles must be transferred against the tender of a Certificate of Transfer or Government Exemption Permit, provided the prospective purchaser who presents either of these documents is legally capable of entering into a contract, and tenders in cash or by certified check the maximum price established for the vehicle by the Office of Price Administration, or is prepared to sign the security instruments and has the financial qualifications customarily required of a purchaser.

A producer or dealer may not refuse to deliver under these circumstances on such grounds as that the prospective purchaser is not one of his regular customers, or that he is holding the vehicle for an expected government order. The importance of this should be clear to all concerned; when a Certificate of Transfer or Government Exemption Permit has been issued, it establishes the holder's necessity for the vehicle in the war effort and he must be able to secure the vehicle described in the certificate or permit with the least possible delay.

Issued this 23d day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18803; Filed, November 23, 1943;
11:22 a. m.]

PART 3203—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Amdt. 1 to
Table 9, as Amended Nov. 13, 1943]

RADIO AND RADAR DIVISION

Section 3203.10 *Table for Radio and Radar Division* (Table 9 to General Scheduling Order M-293) is amended by the addition of the following models:

To section 6 (h) 1, Testers,

(i) Add to section 6 (h) 1A this item—

Radio City Products:
Model 664:
XY 3002.21 3001.21 3243

(ii) Add to section 6 (h) 1B this item—

Radio City Products:
Model 461:
XY 3002.21 3001.21 3243

Issued this 23d day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18805; Filed, November 23, 1943;
11:22 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317 as Amended Nov. 23,
1943]

FIBRE SHIPPING CONTAINERS; MANUFACTURE AND USE

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of fibre shipping containers for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.6 *Limitation Order L-317—Definitions*—(a) "Fibre shipping container" For purposes of this order, the term "fibre shipping container" means the following items:

(1) Any box, crate, case, basket, or hamper in set-up or knock-down form which is made in whole or in part from solid fibre (.060 or heavier) or corrugated fibre and which is used for the delivery or shipment of materials. This does not include the following: trunks, luggage, or military locker boxes; fibre cans, tubes, or drums; inner cartons (except corrugated inner cartons and except inner cartons made from solid fibre .060 or heavier) It also does not include combination wood-and-fibre shipping containers consisting of 50% or more wood (by area)

(2) Any solid fibre (.060 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging, or otherwise protecting a product or material for shipment. This does not include corrugated or solid fibre sheets produced for delivery to plants, of the type commonly referred to in the container-manufacturing industry as "sheet-plants" for their use in manufacturing fibre shipping containers.

(3) Any solid fibre (.060 or heavier) or corrugated fibre interior fitting which is cut to size for use in any type of container to provide content protection, structural strength, or both. This includes, but is not limited to, the following: partitions; pads; liners; sun bursts; corrugated wrappers (single-faced, double-faced, double-walled)

(b) "User" The term "user" means any person who uses fibre shipping containers for the shipment or delivery of materials in connection with his business.

(c) "Containerboard content" The term "containerboard content" means the amount of solid fibre (.060 or heavier) or corrugated fibre containerboard in a fibre shipping container. This amount is computed both in terms of weight and in terms of square feet.

Manufacture and Delivery Prohibitions

(d) *General.* No person shall manufacture any new fibre shipping container which he has reason to believe will be used or accepted in violation of any provision of this order. No person shall sell or deliver any new fibre shipping container manufactured after October 11, 1943, if he has reason to believe it will be so used or accepted.

(e) *Prohibited types (Schedule A)* No person shall manufacture, from solid fibre (.060 or heavier) or corrugated fibre, any container of the types listed in Schedule A of this order.

Use Prohibitions

(f) *Prohibited products (Schedule B).* Schedule B of this order lists certain products which may not be packed in new fibre shipping containers after October 11, 1943. It also lists certain other products which may not be packed, in less than specified quantities, in new fibre shipping containers after October

*Filed with the Division of the Federal Register.

11, 1943. No user shall accept, or use, any new fibre shipping container for any product in violation of Schedule B. This restriction does not apply to (1) containers used for wholesalers' or retailers' deliveries (as defined in Schedule C of this order) (2) empty containers used by the Army or Navy, or (3) containers which are quota exempt under paragraph (t) below.

(g) *V-boxes.* No user shall use any new V-box for packing any product except for delivery against military or Lend-Lease orders which specify that V-boxes be used. No user shall accept delivery of any V-boxes unless he has reason to believe that he will need them for the use permitted in this paragraph. The restrictions of this paragraph shall not apply to empty V-boxes used by the Army and Navy. The term "V-box" shall have the same meaning as in Order M-290 as it may be amended from time to time. (In that order, "V-boxes" are defined as "shipping containers of the types designated as V-1, 2 and 3, in Army Specification O. Q. M. G. No. 93, dated December 2, 1942, and of the similar types described in Navy Department Specifications 53B11 (INT.) and in Agricultural Marketing Administration Specifications FSC-1742-B".)

Quota Restrictions

(h) *Quota products (Schedule C).* Schedule C of this order lists certain products, and certain types of container uses. Beginning as of October 1, 1943, users are permitted to use only a limited amount of new fibre shipping containers for packing any of the listed products (or for any of the listed uses) during each 3-month period (exclusive of amounts which are quota-exempt under paragraph (t) below). The limited amounts are called "quotas". The 3-month periods are called "quota periods". As explained below, there are two types of quotas—"footage quotas" and "tonnage quotas".

(i) *Quota restriction.* During any 3-month quota period, the total containerboard content of the new fibre shipping containers used by any user for packing any Schedule C product (or for any Schedule C use) shall exceed neither his footage quota nor his tonnage quota for that product (or use). Quotas are to be computed in accordance with the next four paragraphs below. (The restrictions of this paragraph shall not apply to empty containers used by the Army or Navy or to containers which are quota-exempt under paragraph (t) below.)

(j) *Computing footage quota.* A user's "footage quota" for any Schedule C product (or use) shall be the following amount: the containerboard content (in terms of square feet) of the new fibre shipping containers used by him during the corresponding 3-month period in 1942 for packing that product (or for that use) multiplied by the quota percentage listed in Schedule C for that product (or use).

(k) *Computing tonnage quota.* A user's "tonnage quota" for any Schedule C product (or use) shall be the following amount: the containerboard content (in terms of weight) of the new fibre shipping containers used by him during the corresponding 3-month period in 1942 for packing that product (or for that use) multiplied by the quota percentage listed in Schedule C for that product (or use). In the case of a Schedule C product, the resulting amount may be increased to the extent permitted in the next paragraph.

(l) *Minimum-pack allowance.* If a user's tonnage quota for any Schedule C product is not enough for a "minimum pack" of that product, his tonnage quota for that product is increased to the extent needed for a minimum pack. However, the footage quota for that product is not increased. "Minimum pack" means the amount of a Schedule C product packed by the user during the corresponding 3-month period in 1942 multiplied by the quota percentage listed in Schedule C for that product.

(m) *Adjustments for "reshippers"* For quota purposes, "reshippers" shall be treated as though they were new fibre shipping containers. Accordingly, the containerboard content of all reshippers used by a user during the corresponding quarter of 1942 for packing a Schedule C product may be included in figuring his footage and tonnage quotas (paragraphs (j) and (k) above). Likewise, the containerboard content of all reshippers used by a user during any quota period for packing any Schedule C product shall be charged to his footage and tonnage quotas for that product. The term "reshippers" means new fibre shipping containers in which empty inner containers (such as glass jars, cans, etc.) are shipped to a packer and which are then used by the packer for shipping or delivering inner containers packed by him with some product.

Inventory Restrictions

(n) *Inventory restrictions.* No person shall accept any delivery which will increase his inventory of unfilled new fibre shipping containers to more than his maximum permitted inventory. He may figure his maximum permitted inventory in either (but not both) of two ways—"over-all" basis or "individual-item" basis.

(o) *Over-all basis.* On the over-all basis, his maximum permitted inventory of all sizes and types shall be no more than a combined total of 1½ carloads.

(p) *Individual-item basis.* On the individual-item basis he figures a separate inventory for each "container item class." In each class he figures how many he will need to meet his reasonably anticipated requirements in the next 30 days (as restricted by a quota on Schedule C, if any). If that is more than 1200 complete sets of that class his inventory for that class is his 30-day requirement; if not, it is 1200. The total of all his classes figured in this way will be his maximum permitted inventory, which he

may divide among his several sizes and types as he sees fit. A "container item class" includes all new fibre shipping containers of the same or similar sizes and types currently being used by him. (A variation in size or type which does not make a container unsuitable for shipping the same amount of a product in substantially the same shape and form shall not be considered as representing a different size or type.)

(q) *Seasonal-foods and military exceptions.* The 30-day supply maximum in paragraph (p) above shall not apply to requirements for packing seasonal foods or to the Army's or Navy's requirements for empty new fibre shipping containers. Instead, the "practicable minimum working inventory" provision in § 944.14 of Priorities Regulation 1 (and the March 10, 1942, Official Interpretation of that section) shall apply in those cases.

Multiple-Unit Organizations

(r) *Multiple-unit organizations.* Any user who uses new fibre shipping containers at more than one place may choose to apply the quota and inventory restrictions of this order either to the operations of each place separately or to the collective operations of all his places. The same choice as to the inventory restrictions is available to any container-distributor who deals in new fibre shipping containers at more than one place. After making his choice, no person shall thereafter change it unless authorized by the War Production Board. Any user or container-distributor organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single user or distributor for the purposes of this paragraph.

Exceptions and Exemptions

(s) *Small-user exception.* The quota restrictions of paragraph (l) above do not apply to any user during any calendar year in which he accepts no more than a total of \$500 worth (cost price to him) of new fibre shipping containers for all products (whether or not on Schedule C).

(t) *Use and quota exemptions for certain government orders.* The use prohibitions of paragraph (f) above and the quota restrictions of paragraph (l) above do not apply to new fibre shipping containers which are used by any user (whether a manufacturer or a distributor) for delivering any product to any of the following persons or which are used by any user for delivering any product to be redelivered by another party (without further processing, fabrication, or incorporation into any other product, exclusive of wholesalers' and retailers' minor finishing or decorative operations as mentioned in Schedule C) to any of the following persons:

(1) The U. S. Army or Navy (exclusive of post exchanges or ship's service departments located within the 48 states and the District of Columbia)

(2) The Maritime Commission; the War Shipping Administration.

(3) Any U. S. agency making Lend-Lease purchases.

New fibre shipping containers used for those purposes may be regarded as being in addition to the user's quota for the product involved.

(u) *Exceptions for stocks in transit or on hand.* The restrictions of this order shall not prevent any user's (1) acceptance of any new fibre shipping containers which were in transit to him on or before October 11, 1943, or (2) use of those containers, or containers on hand on that date, for the purposes for which he acquired them (subject, however, to the quota restrictions of paragraph (i) above).

Miscellaneous Provisions

(v) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(w) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers-Division, Washington 25, D. C., Ref: L-317.

(x) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 23d day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PROHIBITED TYPES OF CONTAINERS

Paragraph (e) of Order L-317 prohibits the manufacture of the following types of containers from solid fibre (.060 or heavier) or corrugated fibre.

- a. Bottle and can carry-outs
- b. Counter boxes
- c. Display-shippers
- d. Laundry boxes and laundry shells
- e. Retail gift boxes

SCHEDULE B—PROHIBITED USES

Pursuant to paragraph (f) of Order L-317, users' acceptance or use of new fibre shipping containers for packing the products listed below (or, where specified below, for packing less than a specified quantity of certain products listed below) is prohibited. Some exceptions from this prohibition are allowed in paragraphs (t) and (u) of the order. In addition, paragraph (f) specifies that its prohibition does not apply to containers used for wholesalers or retailers deliveries (as defined in Schedule C). However, new fibre shipping containers so used for any product below must be charged to the wholesaler's or the retailer's over-all quota under Schedule C.

- a. Paper products:
 1. Advertising display—counter, window, or floor
 2. Catalogues
 3. Magazines, including house organs
 4. Posters
 5. Punch boards
- b. Fresh vegetables:
 1. Cucumbers
 2. Green corn
 3. Onions
 4. Potatoes (white)
 5. Rutabagas
 6. Turnips
- c. Building materials:
 1. Building brick (except glass brick).
 2. Cement—except household
 3. Cork—except pipe covering and slabs
 4. Mineral wool—except slabs, blocks, batts, and formed and/or metal-encased insulation
 5. Plaster—cement, lime, gypsum (this does not include dental, orthopedic, and industrial-mold grades)
 6. Tile—except acoustical, asphalt, and glazed or unglazed floor, wall or facing tile.
- d. Textiles (except clothing)
 1. Awnings
 2. Blankets and comforters—less than 6 per package
 3. Carpets
 4. Mattresses—less than 4" thick
 5. [Deleted Nov. 23, 1943]
 6. Rugs
 7. Tents
 8. Waste wiping rags
- e. Hardware:
 1. Buckets and pails—wood or metal (except metal pails manufactured solely for use as dairy and milk pails and except porcelain-enameled pails).
 2. Garden and farm tools, 18" or more in length—including but not limited to: hoes, rakes, shovels
 3. Handles, 18" or more in length—including but not limited to: shovels, picks, axes, etc.
 4. Wash tubs—wood or metal
- f. Leather products:
 1. Belting butts and shoe leather—except cut stock (repair taps, insoles, counters, box-tops and welting)
 2. [Deleted Nov. 23, 1943]
 3. [Deleted Nov. 23, 1943]
 4. [Deleted Nov. 23, 1943]
 5. Saddles
 6. [Deleted Nov. 23, 1943]
 7. [Deleted Nov. 23, 1943]
 8. [Deleted Nov. 23, 1943]
 9. [Deleted Nov. 23, 1943]
- g. Glass products:
 1. 1-pt. home canning jar—less than 24 per case
- h. Clothing:
 1. Athletic uniforms
 2. Overalls and coveralls¹
 3. Work coats¹
 4. Work pants¹
 5. Work shirts¹
 6. Work uniforms¹
- i. Horticultural items:
 1. Bulbs
 2. Ornamental shrubs
 3. Seeds (flower)
- j. Luggage:
 1. Suitcases
 2. Traveling bags—all kinds
 3. Trunks
- k. Miscellaneous:
 1. Baskets—wicker, splint, etc.
 2. Bridles

¹ [The restriction on acceptance or use of new fibre shipping containers for packing these products is revoked until December 23, 1943 on which date the restriction will again become effective.]

3. Brooms
4. Charcoal—except activated carbon
5. Coal
6. Fertilizers
7. Harnesses
8. Hoses—rubber and fabric
9. Horse collars
10. Linoleum—rugs and rolls
11. Mops—except oil mops
12. Peat moss
13. Rope, string, and twine
14. Whips and crops

SCHEDULE C—PRODUCTS AND USES SUBJECT TO QUOTAS

Paragraph (i) of Order L-317 places quotas on the amount of new fibre shipping containers (including "reshippers" as defined in paragraph (m) of the order) which may be used for packing the products listed in Column 1 below or for the types of uses listed in that Column. The percentages listed in Column 2 below are to be used in figuring the quotas.

| Restricted products and uses (1) | Quota percent- ages (2) |
|--|----------------------------------|
| Restricted products: | |
| Adhesives—household | 80 |
| Animal and pet foods—dry (except proprietary drug remedies) | 80 |
| Animal proprietary drug remedies | 65 |
| Art supplies | 80 |
| Athletic equipment and sporting goods | 80 |
| Beverages—as listed in Order M-104 (Schedule IV) | 80 |
| Brooms | 80 |
| Brushes—household | 80 |
| Buttons | 80 |
| Candles | 80 |
| Cement—household | 80 |
| China and glass ware—except containers | 80 |
| Clothing—except shoes and safety clothing as defined in Order L-114 | 80 |
| Combs | 80 |
| Cosmetics—except dentifrices and perfumes | 65 |
| Dentifrices | 80 |
| Dry cleaning preparations—household | 80 |
| Flowers and plants—cut or potted | 65 |
| Furniture | 80 |
| Games and toys | 65 |
| Glass tableware and glass kitchen articles. (This does not include tumblers, other than cut, footed, or stemmed tumblers.) | 80 |
| Hooks and eyes, slide and snap fasteners, buckles, miscellaneous metal apparel bindings | 80 |
| Jewelry | 65 |
| Mattresses—inner spring | 80 |
| Mattresses—4" or more in thickness | 65 |
| Ornaments—made of glass, plastic, pottery, china, metal, wood, paper, or leather (except those listed elsewhere in Schedule B or C) | 65 |
| Paints—pigmented oil or oleoresinous; ready mixed, semipaste, or paste. This includes, but is not limited to: white lead in oil, colors in oil, pigmented lacquers, resin emulsion paste, casein paste, vegetable protein paste paints | 80 |
| Paper products of the following types: announcements, greeting cards, illustrated post cards and wall calendars | 65 |
| Perfumes | 65 |
| Polishes—household | 80 |
| Pottery products—household (except ornamental) | 80 |

| <i>Restricted products and uses</i> (1) | <i>Quota percent- ages</i> (2) |
|---|---|
| Restricted products—Continued. | |
| Printing and publishing products—except those listed elsewhere in Schedules B or C..... | 80 |
| Roof coatings and cements..... | 80 |
| Stationery..... | 80 |
| Utensils—kitchen and household—(except those listed elsewhere in Schedules B or C)..... | 80 |
| Varnishes..... | 80 |
| Waxes—household..... | 80 |
| Restricted uses: | |
| Wholesalers deliveries..... | 80 |
| Retailers deliveries—mail, express, and common carrier..... | 80 |
| Retailers deliveries—other than mail, express, and common carrier..... | 65 |

These "restricted uses" items relate only to deliveries made by persons who have not produced the products delivered nor done any fabrication or processing work on them other than minor finishing or decorative operations usually performed by wholesalers and retailers (such as assembly of knocked-down furniture, monogramming of linen and jewelry, alteration of clothing). "Retailers deliveries" means deliveries made by any such person who sells exclusively or predominantly at retail. "Wholesalers deliveries" means deliveries made by any such person who sells exclusively or predominantly at wholesale. The quota for each type of use represents the maximum total amount of containers which can be so used for all products (whether or not listed in Schedule C). The quota takes the place of a separate quota for each Schedule C product.

INTERPRETATION 1

The restrictions of L-317 (§ 3270.6) are applicable only to new fibre shipping containers. A question has arisen as to the status of such containers which have been rejected during the course of manufacture or upon delivery because of errors in size, printing, etc. Such containers are new containers and subject to the restrictions contained in the order until they have been used for the packing of a product. (Issued Nov. 6, 1943)

[F. R. Doc. 43-18804; Filed, November 23, 1943; 11:22 a. m.]

Chapter XI—Office of Price Administration

PART 1316—COTTON TEXTILES

[RPS 35,¹ Amdt. 14]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Table III in § 1316.61 (b) (4) is amended by appending the following footnote to the item "Class C" under the heading "Four-leaf twills"

²² In addition to the above maximum prices and the foregoing premiums for Class C four-leaf twills, the following premiums may be

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 1963, 5306.

charged for the fabrics described below, when they (1) are of the quality heretofore customarily required for and (2) are sold for ultimate use in, the manufacture of raincoats:

| <i>Construction:</i> | <i>Premium (Cents per pound)</i> |
|------------------------|--------------------------------------|
| 38"—118 x 60—2.00..... | 3.50 |
| 38"—112 x 52—2.00..... | 2.50 |

This amendment shall become effective the 27th day of November 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of November 1943:

CHESTER BOWLES,
Administrator

[F. R. Doc. 43-18758; Filed, November 22, 1943; 4:40 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND MIXTURES

[MPR 127,² Amdt. 14]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1400.82 (r) (1) footnote 3 to Line No. 16.00 of Table X is amended to read as follows:

*If nylon parachute cloth has been printed or dyed pursuant to a war procurement agency contract the seller may charge in addition to the price appearing in this table the actual cost of such printing or dyeing. As used herein the actual cost of printing or dyeing means: the difference between (a) the cost incurred in finishing the cloth in colors or prints (b) and the cost which would have been incurred if the cloth had been finished in white. The provisions of § 1400.82 (r) (2) shall not apply to nylon parachute cloth. If nylon parachute cloth is redyed, reprinted, overprinted, or otherwise refinished, the maximum price for any resulting finished piece goods shall be determined as follows: (a) the applicable maximum price set forth in Table X shall be adjusted, in accordance with § 1400.82 (d) (2) or (4), to reflect the working gain or loss; (b) to the result obtained pursuant to (a) the seller may add: (1) the actual cost of the original dyeing or printing (as defined above) if dyed or printed pursuant to a war procurement agency contract, (2) the actual cost of transporting the goods to the finishing plant or an amount determined in accordance with § 1400.82 (c) (5) (ii) and (3) the actual cost of the refinishing. The maximum price so determined may not be increased by the use of any divisional factor otherwise than pursuant to § 1400.82 (1).

This amendment shall become effective November 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of November 1943.

CHESTER BOWLES,
Administrator

[F. R. Doc. 43-18759; Filed, November 22, 1943; 4:41 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[RMPR 339,¹ Amdt. 3]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 339 is amended in the following respect:

1. Section 7 (a) (2) is amended to read as follows:

(2) *Methods of marking.* The hosiery must be marked with a transfer, label, ticket, marker or other device which is firmly affixed to at least one stocking of each pair of hosiery at the time it is delivered to the purchaser. Inserts may also be used by all sellers until otherwise provided.

This amendment shall become effective November 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of November 1943.

CHESTER BOWLES,
Administrator

[F. R. Doc. 43-18760; Filed, November 22, 1943; 4:42 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[RMPR 284,² Amdt. 2]

WESTERN PRIMARY FOREST PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 284 is amended in the following respects:

1. Section 4, in the first undesignated paragraph, immediately after the phrase "(other than lodge pole pine)" the phrase "and in footnotes to Tables 5 and 8," is inserted.

2. Section 4 (b) (1) is amended by adding the following sentence: "In the case of poles and piling only, if the order and shipment are for less than a truckload, a minimum charge for 10,000 pounds may be made."

3. In section 4 (c) immediately after the words "by rail" the phrase "or combined water and rail in the case of poles and piling produced in Canada" is inserted, and after the words "Tariff No. 80-H" the phrase "or appropriate intrastate tariffs" is inserted.

4. In section 4 (c) (2) (i) the period is changed to a semicolon, and the following phrase is added "on shipments of poles or piling produced in Canada the Bellingham rate may be used regardless of the location of rail shipping point."

5. Section 14, paragraph (c) is amended to read as follows:

¹ 8 F.R. 11741, 12014, 14622.

² 8 F.R. 6544, 10560.

(c) The provisions of Licensing Order No. 1,⁸ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

6. In section 16, Table 4, in the vertical column of prices, the figure ".055" applying to size 1" x 3" x 6" x 18" wedge, is changed to ".0625."

7. In section 17, Table 5, the note appearing immediately below the table is designated footnote 1, and footnote 2 is added, to read as follows:

2. For railroad ties of Western pine and associated species produced in Arizona, New Mexico, or Colorado and sold f. o. b. mill or point of production, the maximum price shall be \$22.50 per M³BM. On delivered sales, additions for transportation may be made in accordance with section 4 (a) and (b), the charges to be computed for the entire haul from mill to destination, but in no case to exceed \$10.00 per M³BM.

8. In section 17, Table 6, footnotes 1 and 3 are amended and a footnote 5 is added to read as follows:

1. No additions for odd or fractional thicknesses, widths, or lengths, except as provided in footnote 5 below.

3. F. O. H. C. ties, add \$1.50 per M³BM.

5. For 8'6" and 9' cross ties, add \$2.00 per M³BM.

9. In section 17, Table 8, footnotes 1 and 2 are added to read as follows:

1. When split redwood ties are delivered by truck from a production or concentration point to any place other than a railroad loading-out point, the maximum price shall be computed on the basis of \$32.50 per M³BM f. o. b. the truck loading point, and to this price may be added the trucking charges provided in section 4 (a) or (b), computing the addition for the truck mileage from the truck loading point to destination.

2. When split redwood ties are delivered by truck from the production or concentration point to a railroad loading-out point other than the nearest railroad loading-out point, the maximum price shall be computed on the basis of \$32.50 per M³BM f. o. b. the truck loading-out point, and to this price may be added the trucking charges provided in section 4 (a) or (b), computing the addition by multiplying the railroad mileage from the nearest loading point to destination by the applicable trucking rate.

10. In section 18, paragraph (b) is redesignated (c), and a new paragraph (b) is added to read as follows:

(b) *Averaging inbound transportation charges from multiple basing points.* The addition for inbound transportation may be calculated by multiplying the estimated weight of the material by the local freight rate from the basing point of the untreated poles or piling. If the untreated material is received from more than one basing point, an average rate of all inbound freight may be used. The average must be determined by the following formula:

(1) The total inbound freight charges on all receipts during the preceding three

months of the type and species of the item to be priced—divided by—

(2) The total weight of all receipts of such items during the three-month period, regardless of whether inbound freight actually was involved, but excluding any material sold f. o. b. original loading-out point.

This average rate may be used in computing the "inbound freight" addition on all sales f. o. b. treating plant made during the quarter next following that on which the average is based. The average may also be used in selling on a delivered basis as provided in section 4, except that where treating-in-transit rates are available, the entire addition for transportation (including inbound) must be figured on the through rate from the loading-out point indicated on the freight bills surrendered in connection with the outbound shipment. The transit charge itself may be added.

11. Section 18, Table 10, in the column headed "Maximum price, each" in the line covering 20' Class 3 poles, the figure "5.10" is changed to "4.95" and in the column of estimated weights, in the line covering 75' Class 2 poles, the figure "2510" is changed to "3170"

12. In section 18, Table 10A, in the column headed "Maximum price, each," in the line covering 16' Class 10 poles, the figure "1.50" is changed to "1.05"

13. In section 18, Table 10B, the heading is amended to read: "Maximum Prices for Western Red Cedar and Douglas Fir Re-inforcing Stubs—Anchor Logs—Short Round Material Other Than Mine Pit Posts and Stulls—Processing and Non-Pressure Type Preservative Treatment of Same—Eastern or Western Schedule."

14. In section 18, in the provision "General Notes Applying to Tables 10, 10A and 10B," Notes 3 and 6 are amended, to read as follows:

3. On orders to established concentration, distribution or treating plant yards for less than carload minimum weight as established by railroad tariffs, and where the invoice value at maximum prices for the untreated poles or other round material does not exceed \$300.00 on items 50 feet and shorter, or \$450.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value of the treated or untreated material not including transportation but including the treating and processing additions provided in Table 10C. The transportation addition on "less than carload sales" must not exceed that permitted by section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the shipment is made. The service charge may be made only on sales f. o. b. seller's yard, with transportation outbound for the buyer's account.

6. *Branding and marking.* The manufacturer's brand showing year mark, class, and length of pole may be branded on the face of butt treated poles at no extra charge. For any additional branding or marking on butt treated poles, and for all branding on untreated poles, an addition of not more than 7½ cents may be made for each additional branding or marking operation required by the buyer and performed with one iron.

15. In section 18, Table 10C, the heading is amended to read: "Maximum Price Additions to Pole Price for Non-pres-

sure Type Treatment and Processing Western Red Cedar Poles."

16. In section 18, Table 10C, the heading of the first column of prices is amended to read "Butt treated, incised, ½" guaranteed penetration creosote treatment" the heading of the second column of prices is amended to read "Incised ground line area and treated over 2 hours and under 8 hours hot or cold" and the heading of the third column of prices is amended to read "Incised ground line area and 8 hours minimum hot followed by cold treatment,"

17. In section 18, Table 10C, footnote 1 is amended to read:

¹ On poles treated west of the crest of the Cascade Mountains or in California these prices may be increased by 5%. If poles are not incised no increase to these prices is allowed.

18. In section 18, Table 10C, footnote 3 is amended to read:

² Where guaranteed penetration at the ground line area is required in this type of treatment add to these prices the ½" guaranteed penetration butt treating addition for the same length and class of pole.

19. In section 18, in the provision "General Notes Applying to Table 10C" in Note 5 immediately after the phrase "or other preservative" the phrase "under 2 hours" is inserted; Note 6 is redesignated Note 7 and a new Note 6 is added to read:

6. *Push braces.* For framing and boring on push brace poles, an addition of \$0.50 may be made to the maximum price for class and length of pole used.

20. In section 18, Table 11, footnotes 10, 11, 12, 13, 14, 15 and 16 are added to read as follows:

¹⁰ *Butt treating.* When fir poles are sold butt-treated, the seller may apply, in accordance with section 11, for authorization of an addition to the untreated fir pole price.

¹¹ *Less than carload sales.* On orders to established concentration, distribution or treating plant yards for less-than-carload minimum weights as established by railroad tariffs and where the invoice value at maximum prices for the untreated poles or other round material does not exceed \$175.00 on items 50 feet and shorter, or \$250.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value of the butt treated or untreated material not including transportation but including the treating additions provided in footnote 10 above. The transportation addition on "less-than-carload sales" must not exceed that permitted in section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the sale is made. The service charge may be made only on sales f. o. b. seller's yard, with transportation outbound for the buyer's account.

¹² *Cut back allowance.* When requirements of the buyer exceed the available supply of the seller for one or more classes or lengths of poles for delivery required, the seller may cut back the most similar class pole in the five foot longer length and may charge the maximum price for the class and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut back poles, shall be those additions applicable to the class and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate

⁸ F.R. 13, 40.

to the concentration yard. No addition may be made for the labor included in such cutting-back operations. The seller shall keep a record of such sales and show this charge as a separate item on the invoice.

¹³ *Inspection service.* On shipments where the buyer requests special inspection service, furnished by an approved inspection agency, an addition may be made to cover the actual cost of such service. This charge must be shown separately on the invoice.

¹⁴ *Branding and marking.* The manufacturer's brand showing year mark, class, and length of pole may be branded on the face of butt treated poles at no extra charge. For any additional branding or marking on butt treated poles, and for all branding on untreated poles, an addition of not more than 7½ cents may be made for each additional branding or marking operation required by the buyer and performed with one iron.

¹⁵ *Untreated poles, stubs, anchor logs, and short round material.* On shipments from treating plant yards of untreated poles, stubs, anchor logs and short round material, the seller may add a charge of not more than \$.075 per cwt. times the estimated weight for that length and size in the appropriate table.

¹⁶ *Storage.* When the buyer requires storage of butt treated poles for a minimum of 30 days until released for shipment as required, the seller may add a yarding charge of not more than \$.05 per cwt. times the estimated weight for the same class and length in the appropriate table.

21. In section 18, Table 12 is amended by adding a footnote 13, to read as follows:

¹³ *Less than carload sales.* On orders to established concentration, distribution or treating plant yards for less than carload minimum weight as established by railroad tariffs and where the invoice value at maximum prices for the untreated piling or other round material does not exceed \$175.00 on items 50 feet and shorter or \$250.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value not including transportation. The transportation addition on "less than carload sales" must not exceed that permitted by section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the sale is made. The service charge may be made only on sales f. o. b. seller's yard, with transportation outbound for the buyer's account.

This amendment shall become effective November 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of November 1943.

CHESTER BOWLES,
Administrator

[F. R. Doc. 43-18762; Filed, November 22, 1943; 4:42 p. m.]

PART 1440—PROCESSED FOOD COMMODITIES [MPR 462; Amdt. 1]

PREPARED FLOUR MIXES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 12181.

Maximum Price Regulation 462 is amended in the following respects:

1. Section 3 (b) (1) is amended by changing the definition of "primary distributor" in the first sentence of that subparagraph to read as follows:

A "primary distributor" is a distributor, other than a wholesaler, wagon wholesaler or retailer, who purchases all he sells (for his own account) of the kind and brand of prepared flour mix being priced and who customarily receives shipment from the processor of at least 50% of his purchases in carload lots delivered to a warehouse or other receiving station not owned or controlled by any of his customers, for resale by him in less-than-carload lots.

2. Section 3 (b) (2) is amended by changing the definition of "distributor" in the second sentence of that subparagraph to read as follows:

A "distributor" is one who purchases all he sells (for his own account) of the kind and brand being priced and resells it without processing or packaging any part of it.

3. The provision of section 3 (c) (1) following the text of the notice to wholesalers and retailers is amended to read as follows:

For a period of 60 days after making such change in the maximum price of an item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each processor shall include in each case or carton containing the item the written notice set forth above, or securely attach it to the case or carton. However, for sales direct to any retailer, the processor may supply the notice by attaching it to or writing it on the invoice covering the shipment instead of providing it with each case or carton.

4. Section 5 (a) (2) (ii) is amended to read as follows:

(ii) His current cost of the ingredients, packaging materials and direct labor of that commodity.

As used in this section "most closely comparable food commodity" means a food commodity which is most nearly similar and whose "direct cost" is closest to and in no event less than two-thirds of the "direct cost" of the item being priced, whose maximum price does not exceed 165% of its "direct cost" and for which the methods employed in its sale and merchandising are similar to those which will be used in the sale and merchandising of the item being priced hereunder.

As used in this paragraph "current" means at the time of figuring the price reported under paragraph (b) of this section.

5. Section 5 (a) (3) is hereby revoked.

6. Sections 5 (a) (4) 5 (a) (5) and 5 (a) (6) are redesignated sections 5 (a) (3) 5 (a) (4) and 5 (a) (5) respectively.

7. A new section 5 (a) (6) is added to read as follows:

(6) A processor who before November 27, 1943 determined a maximum price for an item under this paragraph but did

not use in his calculations the markup percentage of his most closely comparable food commodity whose maximum price does not exceed 165% of its direct cost, shall refigure his maximum price using the rules of this pricing method.

8. Section 6 is amended by changing the last sentence to read as follows:

Until a maximum price is authorized, the applicant may deliver the item but may not render an invoice or receive payment for it.

This amendment shall become effective November 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of November 1943.

CHESTER BOWLES,
Administrator

[F. R. Doc. 43-18763; Filed, November 22, 1943; 4:40 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-9]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DESIGNATED COUNTIES OF MICHIGAN

In the judgment of the District Director of the Saginaw District Office, Region III, the prices of food and beverages sold for immediate consumption in the Counties of Alcona, Alpena, Arenac, Bay, Cheboygan, Clarck, Crawford, Genesee, Gladwin, Gratiot, Huron, Iosco, Isabella, Lapeer, Midland, Montmorency, Ogemaw, Oscoda, Otsego, Presque Isle, Roscommon, Saginaw, Sanilac, Shiawassee, and Tuscola, in the State of Michigan, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. Restaurant regulations were heretofore issued by the Regional Office of Region III for a limited number of counties in the Saginaw District Area, but such regulations have been duly revoked and are superseded and replaced by this regulation.

In the judgment of the District Director of the Saginaw District Office, Region III, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the act. So far as possible, the District Director of the Saginaw District Office, Region III, gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President

pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the District Director of the Saginaw District Office of Region III, hereby issues this Restaurant Maximum Price Regulation No. 3-9, establishing the maximum prices for food and drink sold for immediate consumption, the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943, in the Counties of Alcona, Alpena, Arenac, Bay, Cheboygan, Clare, Crawford, Genesee, Gladwin, Gratiot, Huron, Iosco, Isabella, Lapeer, Midland, Montmorency, Ogemaw, Oscoda, Otsego, Presque Isle, Roscommon, Saginaw, Sanilac, Shiawassee, and Tuscola, in the State of Michigan.

§ 1448.209 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the District Director of the Saginaw District of Region III by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50, issued by the Office of Price Administration, Delegation Order No. 2-A issued by the Regional Administrator under date of September 25, 1943, to be effective September 25, 1943, Restaurant Maximum Price Regulation No. 3-9 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1448.209 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808.

RESTAURANT MAXIMUM PRICE REGULATION NO. 3-9—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delica-

tessen, soda fountain, boarding house, or any other eating or drinking establishments, you must not offer or sell any "food item" (including beverages) or "meal" within its proper class as set forth herein, at a price higher than the highest price at which you offered the same "food item" or "meal" in such class during the seven-day period beginning Sunday, April 4, 1943 and ending Saturday, April 10, 1943. You must not sell or offer to sell any other "food item" or "meal" at a price higher than the ceiling price which you figure according to the provisions of sections 2, 3, and 4 herein. You may, of course, sell at less than the ceiling prices.

Sec. 2. *How you figure ceiling prices for food items and meals you did not sell in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer in the seven-day period, as follows:

(a) If you offered the same food item or meal within thirty days prior to April 4, 1943, you may take as your ceiling price the highest price at which you offered the same food item or meal in its proper class during said thirty-day period. In any such case your records, as set forth in section 10 herein, must include the menu or information showing the previous offering of such food item or meal at the higher price.

(b) If you did not sell or offer to sell the food item or meal either during the seven-day period, or the thirty-day period, or if you do not have adequate records of prices charged during the thirty-day period, then you choose from the food items or meals for which a ceiling price has already been fixed, the food item or meal in the same class which is most similar to the food item or meal you are pricing and then proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal. The word "currently" as used herein means current at the time the pricing of the new food item or meal takes place.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed, except as may be expressly provided herein.

Sec. 3. *Class of food items and meals—*

(a) *Classes of meals.* (1) For the purpose of classification under this regulation, there shall be thirteen classes of meals as follows: breakfast, lunch, tea,

dinner and supper on week days; breakfast, lunch, tea, dinner and supper on Sundays; children's breakfast, lunch and dinner.

(2) Where you differentiated in price or otherwise between any of the above classes of meals during the period, April 4 to April 10, 1943, you shall continue to maintain such differential. A meal shall be further classified according to the food item category hereinafter listed in which the main dish of such meal is grouped.

Example. A week day roast pork dinner would be in a different class from a week day roast pork lunch or a Sunday roast pork dinner or a week day vegetable plate dinner, but would be in the same class as a week day pork chop dinner.

(b) *Classes of food items.* (1) For the purpose of this regulation food items as herein referred to shall be classified into the following categories:

FOOD ITEMS

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, danish-pastries, etc., served at breakfast.
7. All other breakfast dishes including jams, jellies, and preserves.
8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef: steaks and roasts.
11. Veal: steaks, chops, and roasts.
12. Pork: loin, chops, steaks, roasts.
13. Lamb or mutton: chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries, and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
25. Desserts: seasonal dessert specialties including but not limited to water-melons, cantaloupes, fresh fruits, and fresh berries.
26. Desserts: all others, including fruits, pudding and cheese.
27. Cold sandwiches: including garnishings, salads and vegetables.
28. Hot sandwiches: including garnishings, salads and vegetables.
29. All other food items served in a meal including mints and preserves.
30. Beverage foods, including coffee, cocoa, chocolate, tea, and milk.
31. Non-alcoholic beverages, including sparkling and mineral waters.
32. Alcoholic malt beverages, including beer and ale.
33. Wines, including sparkling wines.
34. Liquors, including whiskeys, gins and brandies.
35. Cordials, including fruit liqueurs.
36. All other alcoholic beverages.

(2) Where you customarily, during the period April 4 to April 10, 1943, differentiated in price or otherwise as to the serving of the same a la carte food item between any two or more of the following: breakfast, lunch, tea, dinner and supper on week days; breakfast, lunch, tea, dinner and supper on Sundays, and children's breakfast, lunch and dinner, you shall continue to maintain such differentials, and where such differentials exist such food items shall be deemed to be distinguished as to class.

Example. Mashed potatoes offered a la carte for week day lunches would be in the same class of food items as potatoes au gratin offered a la carte for week day lunches but would be in a different class than mashed potatoes offered a la carte for week day dinners or Sunday suppers or in connection with other meal menus if during the base period they were customarily distinguished in price or otherwise.

(c) Your ceiling prices for food items or meals served on those days designated legal holidays by Federal Law or by the law of the State in which the establishment is located may be the same as your Sunday ceiling prices for such establishment. If you customarily charged more than usual Sunday prices for meals and food items served on Easter, Thanksgiving, Christmas, New Year's Eve, or New Year's Day, you may, notwithstanding the provisions of sections 1 and 2 herein, continue to charge higher prices on those particular days, such higher prices, however, in no event to exceed 115% of your Sunday ceiling prices.

Sec. 4. No ceiling prices to be higher than the highest price in the base period. Under no circumstances are you permitted to charge a higher price for a food item or meal which you did not offer in the seven-day period than the highest price at which you offered a food item or meal under the same class during the seven-day period, except that, if, during the thirty-day period immediately prior to April 4, 1943, you served a food item or meal at a price higher than the highest price charged for food items or meals in the same class during the aforesaid seven-day period, then you may continue to sell that same food item or meal at the higher price. In any such case, your records, as set forth in section 10 herein, must include the menu or information showing the previous offering of such food item or meal at the higher price. The restriction of this section shall not apply to seasonal dessert specialties as specified in section 3, paragraph (b) Class 25.

Example. If during the seven-day period your highest price for a week-day dinner was \$1.25, in general, that is the highest price you may charge for any week-day dinner. If, however, you served a chicken dinner at \$1.50 on any week day within 30 days prior to April 4, 1943, then you may continue to serve the same chicken dinner at \$1.50 even though that is a higher price than any price charged for the same class dinner during the seven-day period. But you may not add a new meal not served during the 30-day period, at a price in excess of \$1.25. Observe the requirement that a supporting menu (or price list) be made available to justify such exception.

Sec. 5. Substitution of food items in meals. If you have already determined

your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by sections 1 and 2.

Sec. 6. Prohibition against discontinuing meals at certain prices. You must not now discontinue offering meals at prices comparable to those charged by you in the seven-day period if by your doing so your customers would actually have to pay more than they did in the seven-day period. You will be in violation of this rule unless:

(a) You continue to offer meals at different prices representative of the range of prices at which you offered meals of the same class during the seven-day period, and unless

(b) You continue to offer on week days at least as many different meals at or below the lowest price charged by you for meals of the same class on Sunday, April 4, 1943, as you did on that day.

(c) You continue to offer on Sundays and legal holidays at least as many different meals at or below the lowest price charged by you for meals of the same class on Sunday, April 4, 1943, as you did on that day.

Example. Thus, you may select any week day in the seven-day period as the base day for week-day meals. If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15 you must continue to offer at least two week-day dinners at 85¢.

Sec. 7. Evasion. (a) You must not evade the provisions of this regulation by any scheme or device, including:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction.

(2) Withdrawing the offer, or increasing the price of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking, or other special charges, or making such charges when they were not in effect in the seven-day period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals, except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Discontinuing a no-tipping practice without a compensating reduction in your maximum prices.

(6) Reducing the selection of meals offered at table d'hôte prices when the food items which you customarily offered in such meals are being offered at a la carte prices which, when added together, total more than the table d'hôte price for the complete meal, or give your customers less value for their money.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one pat of butter per meal;

(2) You may reduce the quantity or eliminate altogether, ketchup, chill sauce, and any other condiment which is rationed;

(3) You may reduce the amount of sugar served according to your available supply.

(c) You must not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these items at an additional charge. For example, if during the seven-day period you furnished ketchup, you may not discontinue furnishing this item free and at the same time offer to furnish it for an additional charge.

Sec. 8. Rules for new proprietors and new establishments. (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to the commencement of business, however, you may apply to the nearest District Office of the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If you operate a concession in conjunction with a public event and were not in operation during the base period, you shall establish your prices in line with a similar type of eating or drinking place operating during the time of the base period. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the prices of food and drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 10 and the posting requirements of section 11 immediately upon the opening of your place.

(c) **Changing type of service.** If you operated an eating or drinking establishment in the same establishment where you operated an eating or drinking place during the period April 4th to 10th, but changed your type of operation, you shall apply to your nearest District Office of

the Office of Price Administration for your proper maximum prices.

(d) *Seasonal eating and drinking establishments.* If you are the proprietor of a seasonal eating or drinking establishment you must figure your ceiling prices as follows:

(1) If your establishment was in operation during the base period from April 4-10, 1943, use the rules set forth in sections 2, 3, and 4 of this regulation.

(2) If your establishment was not in operation during the base period from April 4 to April 10, but another establishment of the same type and within reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the provisions of section 8, paragraphs (a) and (b) herein.

(3) If you cannot price under paragraphs (1) or (2) herein, and your establishment is not yet in operation, you shall apply for approval of maximum prices to the Office of Price Administration District Office for the area in which your establishment is located. Your application must be filed at least 10 days prior to the date on which you plan to commence operations and must include the following information:

(i) Your name and address and address of your establishment.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the present or coming season, differentiating between week day, and Sunday and holiday prices.

(iv) The date on which you plan to commence operations.

(v) The names of two establishments similar to yours in your vicinity.

You may then charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. The Office of Price Administration may, at any time, after proper investigation and hearing, establish or re-establish such maximum prices for your business as it deems proper and equitable.

(4) If your establishment is already in operation and you cannot price under paragraphs (1) or (2) herein, you shall, within 10 days of the effective date of this order, file application with the Office of Price Administration District Office for the area in which your establishment is located for approval of the prices which you are presently charging. Such application shall include the same information as set forth for applications under paragraph (3) herein. Such listed prices shall be your maximum prices, but shall be subject to modification or adjustment at any time by the Office of Price Administration.

Sec. 9. Taxes. If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax of any increase in the amount of a previous tax on the sale of food or drink or in the business of selling food or drink,

if the tax is measured by the number or price of items or meals.

Sec. 10. Records—(a) Filing of menus. General Order No. 59 required you to file with your war price and rationing board on or before May 1, 1943, a signed copy of each menu or list of your prices in effect during the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943. If you have not already filed, you must do so immediately. Failure to do so will also constitute a violation of this regulation.

(b) *Filing by proprietors not in operation during the seven-day period.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a) above, except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943 and (2) the filing shall be made within three weeks of such first Sunday.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period from April 4-10, 1943, or if you are a new proprietor, in the seven-day period referred to in paragraph (b) above. If you did not use menus, or if your menus were incomplete, you must make available for such examination a list of the highest prices you charged in such seven-day period.

(d) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two copies of each menu used by you each day. If you do not use menus you must prepare, in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

Sec. 11. Posting. (a) If you made menus available to customers in the seven-day period April 4 to April 10, inclusive, you shall continue to make them available. All menus shall include prices for meals and food items offered.

(b) Within one week after the effective date of this order:

(1) Your menus must contain in clear and legible printing or writing, the following statement:

All prices listed are at or below our ceiling price, which, by OPA regulation, are the highest prices we charged for the same item

or meal from April 4 to April 10, 1943. Our records of prices for such period are available for your inspection.

(c) If you did not use menus during the April 4-10 period, you may either (1) institute the use of menus, abiding by the foregoing requirements, or (2) you must post a price list including prices for all meals and food items offered, near the cashier's desk, if any, or in such other location of your establishment that it may be easily seen and read by customers at the time of purchase. Such price list shall conform to the requirements of paragraph (b) above.

Sec. 12. Operation of several places. If you own or operate more than one eating and drinking place, you must do everything required by this regulation for each place separately.

Sec. 13. Relation to other maximum price regulations. The provisions of this regulation shall not apply to any sale for which a maximum price is established by any other regulation, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration.

Sec. 14. Geographical application. The provisions of this order shall be applicable to all eating and drinking places as hereinafter defined in section (15) (e) located in the Counties of Alcona, Alpena, Arenac, Bay, Cheboygan, Clare, Crawford, Genesee, Gladwin, Gratiot, Huron, Iosco, Isabella, Lapeer, Midland, Montmorency, Ogemaw, Oscoda, Otsego, Presque Isle, Roscommon, Saginaw, Sanilac, Shiawassee, and Tuscola, in the State of Michigan.

Sec. 15. Definitions and explanations. (a) "Person" means individual, corporation, partnership, association, or any organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese. Food items, otherwise identical, are not the same for the purpose of establishing maximum prices under sections 1 and 2, when they are items in different classes. (See section 3 (b) for "classes of food items".) For example:

lamb chops offered a la carte for dinner or lunch are in class 13 while if offered for breakfast, they are in class 4.

(e) "Eating and drinking place" shall include any place, establishment or location, whether temporary or permanent, from which any food item or meal is sold, except those which are specifically exempted in section 17 hereof. It shall include by way of example, but not by way of limitation, such movable places where food is dispensed as field kitchens, lunch wagons, "Hot Dog" carts, etc.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 16. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 17. *Exemptions.* Sales by the following eating or drinking places are specifically exempted from the provisions of this regulation:

(a) Eating and drinking places operated in connection with special church, temple, synagogue, Sunday School, or other religious occasions.

(b) Eating and drinking places located on board common carriers (when operated as such) including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(c) Hospitals, except for food items and meals served to persons other than the patients, when a separate charge is made for such food items and meals.

(d) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual) which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit) and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this paragraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or the Department of the Navy shall be considered students.

(e) Eating and drinking places owned, operated, and controlled by fraternal associations principally for the benefit of the members, which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit) and substantially all sales of which are made to its members. This provision is not intended to exempt, however, private clubs or organizations but is limited to fraternal orders. This exemption (e) shall not apply to fraternal orders or organizations that lease their drinking and eating facilities or operate under a conces-

sion arrangement of any nature whatsoever.

SEC. 18. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the reduction of the maximum price of any food item or items or meal or meals sold or offered for sale by any seller or sellers when, in the judgment of the administrator, such action is necessary or desirable to prevent excessive charges, to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

1. The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

2. Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food item offered, capacity, or transportation.

3. By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishments as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your Office of Price Administration District Office an application in duplicate. The application should contain the following information:

(1) Your name and address.

(2) A description of your eating establishment, including the type of service rendered, such as cafeteria, table service, etc., classes of meals offered, such as breakfast, lunch and dinner; number of persons served per day during the most recent thirty-day period, (in counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served) and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and requested adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

Applications for adjustment under this section may be acted upon by the Regional Administrator or by any District Director who has been authorized to do so by order of the Regional Administrator.

SEC. 20. *Amendments.* You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order No. 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the Regional Administrator.

SEC. 21. *Licensing.* The provision of Licensing Order No. 1 of the Office of Price Administration, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or the regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 22. *Revocation.* This regulation may be modified, amended, corrected, or revoked at any time by the Office of Price Administration.

This regulation shall become effective November 30, 1943.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of October 1943.

JOHN F. KESSEL,
District Director

[F. R. Doc. 43-18755; Filed, November 22, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 55]

TRANSPORTATION SERVICES IN KENTUCKY

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 7.15 of Revised Supplementary Regulation No. 14 is added to read as follows:

SEC. 7.15 *Transportation services performed within the commonwealth of Kentucky by carriers other than common carriers.* The maximum rates of carriers other than common carriers performing transportation services within the Commonwealth of Kentucky are the rates and charges published in Supplements Nos. 58, 60, 66, 68, 70, 73 and 74 to Kentucky Intrastate Tariff No. 7, MF-DMT. Ky. No. 7, issued by the Central and Southern Motor Tariff Association, Inc., Agent, lawfully on file with the Division of Motor Transportation of the Commonwealth of Kentucky and legally in effect on November 8, 1943, or the maximum rates established by the Gen-

*Copies may be obtained from the Office of Price Administration.

eral Maximum Price Regulation or any supplementary regulation or order issued by the Office of Price Administration, whichever rates are higher.

This amendment shall become effective November 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 22d day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18756; Filed, November 22, 1943;
4:41 p. m.]

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445, Amdt. 7]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.12 (c) of Maximum Price Regulation No. 445 is amended to read as follows:

(c) As to a brand, type and kind of bulk or packaged non-current California grape wine for which a processor is permitted by section 4.8 to apply for authority to establish a special maximum price, if the processor gives notice of intention to file such application to the Office of Price Administration, Beverage Section, Washington, D. C., on or before October 22, 1943, and such application is filed in accordance with section 4.9 on or before November 10, 1943, this article shall not apply to the processor's sales, offers to sell or deliveries of such bulk or packaged non-current wine made prior to December 31, 1943 or to sales of that wine which the seller is required by statute, ordinance or regulation to make at a price posted or listed prior to December 31, 1943 with a state or other public authority (if the price so posted or listed is greater or less than that established under this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity after December 30, 1943.

This amendment shall become effective November 22, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of November 1943.

CHESTER BOWLES,
Administrator

[F. R. Doc. 43-18761; Filed, November 22, 1943;
4:40 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 11161, 11851, 13496, 13500, 13845, 14016.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

DEER FLAT NATIONAL WILDLIFE REFUGE, IDAHO

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 93, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284) the following is hereby ordered:

§ 22.220b *Deer Flat National Wildlife Refuge, Idaho; hunting of pheasants.* Pheasants may be taken during the period November 17 to November 21, 1943, inclusive, on all lands of the Deer Flat National Wildlife Refuge, Idaho, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940, and subject to the following provisions, conditions, restrictions, and requirements:

(a) *State laws.* Any person while hunting within the refuge must comply with the applicable laws and regulations of the State of Idaho.

(b) *Hunting licenses and permits.* Any person who hunts within the refuge, as permitted by this section, shall be in possession of a valid hunting license issued by the State of Idaho authorizing him to hunt pheasants, if such license is required. The said license shall serve as a Federal permit for hunting pheasants on the refuge and must be carried on the person of the licensee while so hunting. The said license must be exhibited upon the request of any representative of the Idaho Fish and Game Commission authorized to enforce the State game laws or of any representative of the Department of the Interior. Upon request of such officer, the licensee also must exhibit for inspection all game killed by him or in his possession.

(c) *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(d) *Hunting dogs.* Each person hunting on the refuge will be permitted to take his hunting dogs, not to exceed two in number, upon the area for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the refuge.

(e) *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting, as permitted by this section, shall use such routes of travel as may be designated by suitable posting by the of-

ficer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shell on the refuge is prohibited.

(f) *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section or the violation by him of any of the provisions of State or Federal laws or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

MICHAEL W. STRAUS,
Assistant Secretary of the Interior.

NOVEMBER 15, 1943.

[F. R. Doc. 43-18792; Filed, November 23, 1943;
10:17 a. m.]

PART 25—SOUTHERN REGION NATIONAL WILDLIFE REFUGES

WHITE RIVER NATIONAL WILDLIFE REFUGE, ARKANSAS

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 93, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284) the following is hereby ordered:

§ 25.966b *White River National Wildlife Refuge, Arkansas; quail hunting.* Quail may be taken during a period of three consecutive days between December 1 and December 20, 1943, inclusive, on certain lands hereinafter described of the United States within the White River National Wildlife Refuge, Arkansas, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940, and subject to the following special provisions, conditions, restrictions, and requirements:

(a) *Area open to hunting.* The following-described lands of the United States within the White River National Wildlife Refuge shall be open to the hunting of quail:

Fractional SW $\frac{1}{4}$ of section 27; NW $\frac{1}{4}$, fractional NE $\frac{1}{4}$ west of Big Island Chute, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and fractional SE $\frac{1}{4}$ of section 23; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ of section 33; and fractional W $\frac{1}{2}$ of section 34, T. 4 S., R. 1 W., Fifth Principal Meridian, Arkansas.

(b) *Compliance with State laws and regulations.* Any person who hunts on the refuge shall be in possession of a valid hunting license issued by the State of Arkansas authorizing him to hunt quail and a permit if required.

Said license and permit shall serve as a Federal permit for hunting quail on the refuge and must be carried on the person of the licensee while so hunting. The license and permit must be exhibited upon the request of any representative of the Arkansas Game and Fish Commission authorized to enforce the State game laws or of any representative of the Fish and Wildlife Service. The licensee must comply in every respect with the State laws and regulations governing the hunting of quail and, upon the request of any of the aforesaid representatives, must exhibit for inspection all game killed by him or in his possession.

(c) *Entry upon refuge.* Persons entering or crossing the refuge for the purpose of hunting, as permitted by the regulations in this section, shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

(d) *Hunting dogs.* Each person hunting on the refuge will be permitted to take his hunting dogs, not to exceed two in number, upon such areas; but such dogs shall not be permitted to run at large on the hunting areas or elsewhere on the refuge.

(e) *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(f) *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section or the violation by him of any of the provisions of State or Federal laws or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

(g) *Cooperation in the management of hunting on the refuge.* The provisions of the regulations in this section shall be incorporated in and deemed to be a part of any cooperative agreement between the Director of the Fish and Wildlife Service and the Arkansas Game and Fish Commission and/or any authorized sportsmen's association or field trial club for the regulation, management, and operation of hunting on the refuge, the details of which agreement shall be mutually agreed upon between said Director and Commission and/or association or club.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior
NOVEMBER 12, 1943.

[F. R. Doc. 43-18791; Filed, November 23, 1943;
10:17 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

A. E. JONSRUD

ORDER REVOKING AND DIRECTING SURRENDER OF LICENSES AND REQUIRING RECORDS TO BE FURNISHED

In the matter of licensee A. E. Jonsrud. Proceedings for revocation of licenses.

To: A. E. Jonsrud, Route 1, Box 50, Boring, Oregon.

Based upon the records in this matter, I make the following findings of fact:

1. On June 30, 1943, a specification of charges against you, setting forth alleged violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, was mailed to you, and on July 6, 1943, it was received by you. You were given notice by the specification of charges to mail an answer within 15 days, replying to the charges against you, and requesting, if you wished, an oral hearing.

2. More than 4 months have elapsed since June 30, 1943. The only communication which I have received from you is your answer dated July 13, 1943. You have not requested an oral hearing.

3. You have admitted that on or about May 5, 1942, you stored explosives on premises not marked with a sign containing the words "Explosives—Keep off" and that you thereby violated section 12 of the act and section 17 (b) of the regulations.

4. You have admitted that on or about May 27, 1943, you stored explosives in an amount of approximately 1,950 pounds otherwise than in a magazine which was properly constructed, safely located and securely locked, and that you thereby violated section 17 (a) of the regulations.

5. On September 18, 1943, I suspended these proceedings for a period of 30 days and notified you by a copy of the order, which was delivered to you on September 27, that unless you advised me by October 18 of your compliance with the Federal Explosives Act and the regulations thereunder in every respect, including the storing of explosives in a magazine properly constructed, safely located and securely locked, and on premises conspicuously marked with a sign containing the words "Explosives—Keep Off" so placed that a bullet passing through the sign would not strike the magazine, your licenses would be revoked immediately thereafter. I have not received any response from you.

Now therefore by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order

1. That all unexpired licenses heretofore issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, December 4, 1943.

2. That prior to midnight, December 4, 1943, you shall sell or otherwise dispose of, to properly licensed persons, all explosives and ingredients of explosives owned or possessed by you, or consigned to you, or which are in your custody.

3. That after having disposed of all of the explosives and ingredients of explo-

sives as required by paragraph 2 of this order, you shall, prior to midnight, December 4, 1943, deliver or mail to L. H. McGuire, Engineer in Charge United States Bureau of Mines, 233 Federal Office Building, Seattle 4, Washington, a sworn statement of your transactions in explosives and ingredients beginning with the date of this order and ending with the final disposition of the explosives and ingredients as required above. The statement shall set forth the amount of each kind of explosives or ingredients which you had on hand at each location at the opening of business on the date of this Order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, and the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which disposed of, and the names and addresses and Federal explosives license numbers and dates of the persons to whom disposed of.

4. That prior to midnight, December 4, 1943, you shall surrender all licenses revoked by this order and all certified and photographic copies thereof by mailing or delivering them to L. H. McGuire, Engineer in Charge, United States Bureau of Mines, 233 Federal Office Building, Seattle 4, Washington.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than \$5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated: November 20th, 1943.

R. R. SAYERS,
Director

[F. R. Doc. 43-18786; Filed, November 23, 1943;
10:18 a. m.]

Bureau of Reclamation.

HARNEY PROJECT, OREG.

REVOCATION OF FIRST FORM WITHDRAWAL NOVEMBER 4, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Harney project the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by departmental orders of June 25, 1903 and April 26, 1909, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked. *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other order withdrawing or reserving the lands hereinafter listed.

HARNEY PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 20 S., R. 28 E.,
 Sec. 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 26, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 27, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 28, S $\frac{1}{2}$ SW $\frac{1}{4}$,
 Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,
 Sec. 30, NE $\frac{1}{4}$,
 Sec. 33, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,
 Sec. 34, N $\frac{1}{2}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 35, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$
 SE $\frac{1}{4}$,
 T. 21 S., R. 28 E.,
 Sec. 1, W $\frac{1}{2}$,
 Sec. 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,
 Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 Sec. 12, W $\frac{1}{2}$ W $\frac{1}{2}$,
 Sec. 13, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 T. 17 S., R. 31 E.,
 Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
 E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$.

Respectfully,

WILLIAM E. WARNE,
Acting Commissioner

I concur November 13, 1943.

FRED W. JOHNSON,
*Commissioner of the General
 Land Office.*

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

NOVEMBER 16, 1943.

[F. R. Doc. 43-18769; Filed, November 23, 1943;
 10:17 a. m.]

MONTEZUMA PROJECT, COLO.

REVOCATION OF FIRST FORM WITHDRAWAL
 NOVEMBER 8, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Montezuma project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by departmental order of September 19, 1904, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

MONTEZUMA PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 40 N., R. 10 W.,
 Secs. 5 to 9, inclusive;
 Secs. 16 and 17.

Respectfully,

WILLIAM E. WARNE,
Acting Commissioner.

I concur November 15, 1943.

FRED W. JOHNSON,
*Commissioner of the General
 Land Office.*

No. 233—3

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

NOVEMBER 16, 1943.

[F. R. Doc. 43-18780; Filed, November 23, 1943;
 10:17 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 783]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 28, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation and Amount

Illinois 4012B4 Bureau, \$25,000.
 Iowa 4032E2 Butler, \$70,000.
 Iowa 4034E3 Jones, \$75,000.
 Iowa 4041C2 Hancock, \$45,000.
 Iowa 4051C3 Winnebago, \$35,000.
 Iowa 4055B2 O'Brien, \$25,000.
 Iowa 4062B2 Ida, \$50,000.
 Iowa 4071B2 Buchanan, \$50,000.
 Kansas 4034B2 Barton, \$40,000.
 Texas 4086C2 Comanche, \$50,000.

HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-18767; Filed, November 23, 1943;
 4:54 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 850]

BRANIFF AIRWAYS, INC., ET AL.

NOTICE OF ORAL ARGUMENT

In the matter of the rates, fares and charges of Braniff Airways, Inc., Delta Air Corporation, and National Airlines, Inc., for the transportation of passengers.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on November 26th, 1943, 10 a. m. (eastern war time) in Room 5042 Commerce Building, 15th St. and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., November 22, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMES,
Secretary.

[F. R. Doc. 43-18808; Filed, November 23, 1943;
 11:40 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-502]

THE MANUFACTURERS LIGHT AND HEAT COMPANY

ORDER FIXING DATE OF HEARING

NOVEMBER 16, 1943.

Upon consideration of the application filed October 4, 1943, and amendment thereto filed October 21, 1943, by The Manufacturers Light and Heat Company, a Pennsylvania corporation having its principal place of business at 800 Union Trust Building, Pittsburgh, Pennsylvania, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the acquisition and operation of the properties of the Beaver-Butler Gas Company, located in Butler and Allegheny Counties, Pennsylvania;

The Commission orders that:

(A) A public hearing in this proceeding be held, commencing on December 7, 1943 at 9:45 a. m. in the Allegheny County Court House, County Court Room No. 6, Fifth Floor, Pittsburgh, Pennsylvania, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State commissions may participate in the hearing, as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-18810; Filed, November 23, 1943;
 11:38 a. m.]

[Docket No. G-503]

THE MANUFACTURERS LIGHT AND HEAT COMPANY, ET AL.

ORDER FIXING DATE OF HEARING

NOVEMBER 16, 1943.

Upon consideration of the application filed October 14, 1943, and amendment thereto filed October 29, 1943, for a certificate of public convenience and necessity authorizing the new The Manufacturers Light and Heat Company, (a) to acquire by merger and consolidation and to operate the natural-gas facilities of the old The Manufacturers Light and Heat Company, Greensboro Gas Company, Manufacturers Gas Company and Pennsylvania Fuel Supply Company, associated companies, incorporated under the laws of the State of Pennsylvania, and having their principal place of business at 800 Union Trust Building, Pittsburgh, Pennsylvania, and (b) to acquire by purchase and to operate the natural-gas facilities of another associated company, Fayette County Gas Company, incorporated under the laws of the State of West Virginia, and having its principal place of business at 800 Union Trust Building, Pittsburgh, Pennsylvania;

The Commission orders that:

(A) A public hearing in this proceeding be held, commencing on December 9, 1943, at 9:45 a. m., in the Allegheny County Court House, County Court Room

No. 6, Fifth Floor, Pittsburgh, Pennsylvania, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State commissions may participate in the hearing, as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act,

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-18811; Filed, November 23, 1943;
11:38 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 2]

COMMON CARRIERS BY RAILROAD

RECONSIGNMENT OF VEGETABLES

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, of cars FFE 40447 and FGE 34529, tomatoes, from Western Fruit Growers, Brentwood, California, consigned to themselves and diverted to Chicago, Illinois.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November 1943.

HOMER C. KING,
Director

[F. R. Doc. 43-18797; Filed, November 23, 1943;
11:17 a. m.]

[S. O. 70-A; Special Permit 3]

COMMON CARRIERS BY RAILROAD

RECONSIGNMENT OF VEGETABLES

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, of car FGE 51605, potatoes, from Laxdahl & Thorlessen, Edinburg, North Dakota, to the Higgins Potato Company, Grand Forks, North Dakota; reconsigned to E. H. Anderson &

Company, Chicago, Illinois, again reconsigned to Joliet, Illinois, delay in last diversion due to railroad's error.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November 1943.

HOMER C. KING,
Director

[F. R. Doc. 43-18798; Filed, November 23, 1943;
11:17 a. m.]

[S. O. 117, Special Permit 1]

COMMON CARRIERS BY RAILROAD

MOVEMENT OF BANANAS

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.9) of Service Order No. 117 of April 13, 1943, permission is hereby granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accept or move bananas in carloads originating in Mexico and moving through the United States all rail to points in the Maritime Provinces of Canada, to the following consignees in accordance with the monthly quota shown opposite each consignee's name:

| Consignees | Monthly quota in 1943 | |
|--|-----------------------|----------|
| | November | December |
| Vincent & Wetmore, Ltd., St. John, New Brunswick. | 5 cars..... | 5 cars. |
| B. A. Blakeney, Ltd., Halifax, Nova Scotia. | 5 cars..... | 5 cars. |

This special permit shall not be construed to allow the movement by railroad through the United States to any one of the above consignees a greater number of cars per month than the monthly quota shown opposite the consignee's name.

Bills of lading and way bills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of November 1943.

HOMER C. KING,
Director

[F. R. Doc. 43-18796; Filed, November 23, 1943;
11:17 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 335]

CERTAIN COPYRIGHTS AND COPYRIGHT INTERESTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property hereinafter described is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of a foreign country or countries, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being the following described rights and interests under the copyright laws of the United States:

1. All right, title and interest of whatsoever kind or nature of each and all of the owners thereof in, to and under each and all of the copyrights and claims of copyright described in Exhibit A attached hereto and made a part hereof, including but not limited to all accrued royalties, all damages and profits recoverable at law or in equity from any and all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through any or all of such owners.

2. All right, title and interest of whatsoever kind or nature of each and all of the authors of each and all of the publications described in said Exhibit A in, to and under each and all of the copyrights and claims of copyright described in said Exhibit A, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any and all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by any or all of such authors or by their widows, children, executors, or next of kin.

3. All right, title and interest of whatsoever kind or nature of each and all other nationals, whomsoever they may be, of any and all designated enemy countries, in, to and under each and all of the copyrights, claims of copyright and rights to copyright, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number, in any and all of the publications described, and in any and all other issues, editions or publications of any or all of the works described, and in any and all of the volumes heretofore published under the titles described, in the aforesaid Exhibit A, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any and all persons, firms, corporations or governments for past infringement thereof, and all rights of, and all rights of renewal subject to be exercised by or through any or all of such nationals.

Such property and any or all of the proceeds thereof shall be held in a spe-

cial account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on November 6, 1942.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

| Copyright No. | Nature of work | Title of work | Copyright owner | Author or authors |
|---------------|----------------|--|--|--|
| E. For. 34892 | Book | Theorie und Praxis in der Kriegskunst. | J. F. Lehmann's Verlag of Germany. | Alfred Krauss of Germany. |
| A. For. 30377 | Book | Der Totale Krieg. | Ludendorffs Verlag, G. m. b. H. of Germany. | Erich Ludendorff of Germany. |
| A. For. 44596 | Book | Farbstofftabellen, Siebente Auflage, Neu Bearb. und Erweitert. Ergänzungsband 2. | Akademische Verlagsgesellschaft m. b. H. of Germany. | Gustav Schultz and Ludwig Lehmann of Germany. |
| A. For. 12920 | Book | Farbstofftabellen, 7. Aufl. Bd. I. | Akademische Verlagsgesellschaft m. b. H. of Germany. | Gustav Theodor, August Otto, Schultz-Ludwig, Lehmann of Germany. |
| A. For. 18248 | Book | Farbstofftabellen, 7. Aufl. 2 Bd. | Akademische Verlagsgesellschaft m. b. H. of Germany. | Gustav Theodor, August Otto, Schultz-Ludwig, Lehmann of Germany. |
| A. For. 29525 | Book | Farbstofftabellen, 7. Aufl. Ergänzungsband 1. Umfassend Die Literatur Bis 31. Dezember 1933. | Akademische Verlagsgesellschaft m. b. H. of Germany. | G. Schultz and Ludwig Lehmann of Germany. |

CLAIMS OF COPYRIGHT

| Nature of work | Title of work | Copyright owner | Author or authors |
|----------------|--|--|------------------------|
| Book | Die Grossen Erzieher des Deutschen Heeres. | Akademische Verlagsgesellschaft Athenalon, Potsdam, 1939 of Germany. | Bernhard Schwertfeger. |
| Book | Der soldatische Führer. | Gerhard Stalling A. G., Oldenburg, 1939 of Germany. | Friedrich Altrichter. |
| Book | Das Gesicht der Schlacht. | Union Deutsche Verlagsgesellschaft, Stuttgart, 1937 of Germany. | Eugen Von Frauenholz. |

[F. R. Doc. 43-18743; Filed, November 22, 1943; 11:15 a. m.]

[Vesting Order 730]

G. RICORDI AND CO.

In re: Copyright interests of G. Ricordi and Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that G. Ricordi and Company, an Italian partnership, which has a principal place of business at Milan, Italy, is a national of a designated enemy country (Italy);

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the aforesaid G. Ricordi and Company, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their

principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in Exhibits A, B, C, D, E, F, or G, all of which exhibits are attached hereto and hereby made a part hereof, in, to and under the following:

a. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibits A, B, C, D, E, F and G and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

c. All monies and amounts, and all right to receive monies and amounts, by way of

¹ Filed as part of the original document.

royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

d. All rights of renewal, reversion or reversioning, if any, in any or all of the foregoing;

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest:

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on January 23, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18733; Filed, November 22, 1943; 11:14 a. m.]

[Vesting Order 1174]

G. RICORDI AND CO.

In re: Copyright interests of G. Ricordi and Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that G. Ricordi and Company, an Italian partnership, which has a principal

place of business at Milan, Italy, is a national of a foreign country (Italy);

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the Statutory and common law of the United States and the several States thereof, of the aforesaid G. Ricordi and Company, of Milan, Italy, in, to and under the following:

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibits A, B, C, D, E, and F, all of which exhibits are attached hereto and hereby made a part hereof;

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid G. Ricordi and Company, whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights of reversion or reverting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

(g) All right, title or interest in any paper or other copies of the works described in the foregoing; is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; *Provided, however* That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country asserting any claim arising as a result of this order may

¹ Filed as part of the original document.

file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on March 31, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18740; Filed, November 22, 1943;
11:14 a. m.]

[Vesting Order 1492, Amendment]

HUGO STOLTZENBERG AND FELICITAS FELTEN

In re: Real property owned by, and property held in trust for, Hugo Stoltzenberg and Felicitas Felten.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hugo Stoltzenberg and Felicitas Felten are citizens and residents of Germany, whose last known addresses are Moenckeburgstr 19, Hamburg, Germany, and St. Peter, Germany, respectively, and are nationals of a designated enemy country (Germany);

2. That Hugo Stoltzenberg and Felicitas Felten, and each of them, are the owners of the real property described in subparagraph 3 (a) hereof and of the trust property described in subparagraphs 3 (b), 3 (c) and 3 (d) hereof;

3. That the property described as follows:

(a) Real property situated in Sonoma County, California, particularly described in Exhibit A, attached hereto and made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

(b) Real property situated at 181-199 First Street, East Cambridge, Massachusetts, particularly described in Exhibit B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

(c) A certain mortgage executed by Arthur H. Brown, as mortgagor, on May 25, 1932, in favor of Hugo Stoltzenberg and Felicitas Felten, as mortgagees, and recorded in the Middlesex South District Registry of Deeds, Cambridge, Massachusetts, in Book 6032, Page 314, on the lot and improvements located at 200 First Street, Cambridge Massachusetts, and any and all obligations secured by said mortgage, including, but not limited to, all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds, or other instruments evidencing such obligations;

(d) That certain trust estate being administered by Arthur P. Teele, Boston, Massachusetts, and Frederick O. Trump, Binghamton, New York, as co-trustees, pursuant to a

trust agreement dated January 14, 1938, executed by and between Hugo Stoltzenberg and Felicitas Felten, as grantor-beneficiaries, and Arthur P. Teele and Frederick O. Trump, as co-trustees, together with all rights, powers and authority of revocation or of modification of said agreement reserved by the said Hugo Stoltzenberg and Felicitas Felten;

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 19, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Those certain lots, pieces or parcels of land situated in the County of Sonoma, State of California, and more particularly described as follows, to-wit:

Lots Two (2), Six (6), Seven (7), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), all in Section Thirty-three (33), Township Eight (8) North Range Eleven (11) West of Mount Diablo Base and Meridian, containing three hundred seventy-nine (379) acres of land according to the United States Government Survey, be the same, more or less.

EXHIBIT B

Two parcels of land with the buildings thereon situated in Cambridge in said County

in that part thereof known as East Cambridge, so-called, viz: The first parcel is shown as Lot D on a plan of land in Cambridgeport belonging to Henry M. Whitney by W. A. Mason & Son, Surveyors dated July 31, 1908 and recorded with Middlesex South District Deeds in Plan Book 162, Plan 15 and bounded according to said Plan as follows:

Northwesterly by Second Street, 200 feet; Northeasterly by Binney Street, 400 feet; Southeasterly by First Street, 200 feet, and Southwesterly by Munroe St. 399.56 ft. containing according to said Plan 79956 square feet, excepting from the above described parcel so much thereof as was taken by the City of Cambridge for the widening of said Munroe Street as shown on a plan of said taking filed with said Deeds in Plan Book 348, Plan 32.

The second parcel consists of the Lot marked "A. Sommer" Lot C and a part of Lot B on said plan and bounded as follows:

On the Northwest by First Street, there measuring 167.82 feet, on the northeast by Binney Street there measuring 222.81 feet, on the southeast by Commercial Street, there measuring 128.20 feet, and on the southwest by the extension of Munroe Street, by a curved line measuring 178.20 feet, be all said measurements more or less, and containing approximately 28,000 square feet, together with a license for a spur track issued to the grantors by the City of Cambridge.

EXHIBIT C

The land in said Cambridge, in that part thereof known as East Cambridge, together with the buildings thereon, numbered 200 First Street, and comprising the Southerly part of Lot "B" on a plan of land in Cambridgeport belonging to Henry M. Whitney, by W. A. Mason & Son, Surveyors, dated July 31, 1906, and recorded with Middlesex South District Deeds, in Plan Book 162, Plan 15, and bounded and described as follows, viz:

Northwesterly by First Street, fifty-two and 8/100 (52.08) feet; Northeasterly by Monroe Street extension, as laid out by the City of Cambridge, as shown on a plan recorded in said Deeds, Plan Book 314, Plan 25, one hundred and thirty-three and 8/100 (133.8) feet; Southeasterly by Commercial Avenue, seventy and 68/100 (70.68) feet; and Southwesterly by Lot "A" on said Whitney Plan, one hundred and three and 8/100 (103.08) feet. Containing 6580 square feet of land; be any of said measurements more or less.

[F.R. Doc. 43-18742; Filed, November 22, 1943; 11:15 a. m.]

[Supplemental Vesting Order 2586]

CENTRAL AMERICAN PLANTATIONS CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found under Vesting Order Number 104, dated August 17, 1942, that Central American Plantations Corporation is a national of a designated enemy country (Germany);

2. Finding that of the outstanding capital stock of Central American Plantations Corporation, a corporation organized under the laws of the State of Delaware and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 29,027 shares of common stock having a par value of \$100 a share, 3,062 shares (10.55%) are registered in the names of the persons whose names are set out below in the number appearing oppo-

site each name and are beneficially owned by the persons whose names are set out opposite thereto and are evidence of an interest in said business enterprise:

Name, Number of Shares and Beneficial Owner

E. Arthur Carter, nominee, on deposit in account of "A. B. Svenska, Handelsbanken, Depot H" at Bank of Manhattan Company, New York, N. Y., 502, L. Behrens & Sohne and/or Norddeutsche Kreditbank, A. G.

L. D. Pickering & Co., nominee, on deposit in account of "A. B. Svenska, Handelsbanken, Depot H" at Bank of Manhattan Company, New York, N. Y., 448, L. Behrens & Sohne and/or Norddeutsche Kreditbank, A. G.

Richard Beselin, 50, Richard Beselin, Egger & Company, 35, Deutsches Bank and/or H. Albert de Bary & Co. N. V.

Cobb & Co., 40, Deutsches Bank and/or H. Albert de Bary & Co. N. V.

Hallgarten & Co., 120, Dredner Bank and/or Handelstrust West, N. V.

Tucker & Co., 5, Dredner Bank and/or Handelstrust West, N. V.

Tucker & Co., 9, Rhodius Koenigs Handelsmaatschappij, N. V.

Hallgarten & Co., 538, J. Oehlert, Hermann L. Oehlert, or Gertrud Oehlert, any one or more or all of them jointly or severally.

John Yunker, 50, J. Oehlert, Hermann L. Oehlert, or Gertrud Oehlert, any one or more or all of them jointly or severally.

Gertrude Oehlert, 103, Gertrude Oehlert.

J. Oehlert, 283, J. Oehlert, Hermann L. Oehlert, or Gertrud Oehlert, any one or more or all of them jointly or severally.

Hans Waldemar Schlubach, 10, Hans Waldemar Schlubach.

Alberto McAllister, 388, Eric and/or Mercedes Schlubach.

Annette B. Schlubach, 378, Alfred and/or Margarete Albers.

Total, 3,062 shares;

3. Finding that 128 shares of stock of Central American Plantations Corporation registered in the name of L. D. Pickering & Co. were vested under Vesting Order Number 104, dated August 17, 1942, wherein said 128 shares were in error described as registered in the name of E. Arthur Carter and L. D. Pickering & Co. and as held for the benefit of Nottebohm Haas, and finding that said shares were in fact registered in the name of L. D. Pickering & Co. on deposit in account of "A. B. Svenska, Handelsbanken, Depot H" at Bank of Manhattan Company, New York, N. Y., and beneficially owned by L. Behrens & Sohne and/or Norddeutsche Kreditbank, A. G.

4. Finding that L. Behrens & Sohne, whose principal place of business is Hamburg, Germany, is a business enterprise organized under the laws of Germany and is a national of a designated enemy country (Germany);

5. Finding that Norddeutsche Kreditbank, A. G., whose principal place of business is Hamburg, Germany, is a corporation organized under the laws of Germany and is a national of a designated enemy country (Germany);

6. Finding that Richard Beselin, whose last known address is Hamburg, Germany, is a national of a designated enemy country (Germany);

7. Finding that Deutsches Bank, whose principal place of business is Berlin, Germany, is a corporation organized under the laws of Germany and is a national of a designated enemy country (Germany);

8. Finding that H. Albert de Bary & Co. N. V., whose principal place of business is Amsterdam, Holland, is a corporation organized under the laws of The Netherlands and is controlled by Deutsches Bank and is acting directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) or persons within such country;

9. Finding that Rhodius Koenigs Handelsmaatschappij, N. V., whose principal place

of business is Amsterdam, Holland, is a corporation organized under the laws of The Netherlands and is acting directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) or persons within such country;

10. Finding that Dredner Bank, whose principal place of business is Berlin, Germany, is a corporation organized under the laws of Germany and is a national of a designated enemy country (Germany);

11. Finding that Handelstrust West, N. V., whose principal place of business is Amsterdam, Holland, is a corporation organized under the laws of The Netherlands and is controlled by Dredner Bank and is acting directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) or persons within such country;

12. That J. Oehlert, whose principal place of business is Neustadt, Germany, is a partnership organized under the laws of Germany, composed of Hermann L. Oehlert, Gustav Oehlert and Adolf Oehlert, and is a national of a designated enemy country (Germany);

13. Finding that the persons whose names and addresses are set out below are nationals of a designated enemy country (Germany):

Name and Address

Hermann L. Oehlert, Neustadt, Germany.
Gertrud Oehlert, Neustadt, Germany.
Hans Waldemar Schlubach, Hamburg, Germany.
Eric Schlubach, Hamburg, Germany.
Mercedes Schlubach, Hamburg, Germany.
Alfred Albers, Hamburg, Germany.
Margarete Albers, Hamburg, Germany;

and determining:

14. That H. Albert de Bary & Co. N. V. is controlled by Deutsches Bank and is acting for or on behalf of or as a cloak for a designated enemy country (Germany) or persons within such country and is a national of such designated enemy country;

15. That Handelstrust West, N. V. is controlled by Dredner Bank and is acting for or on behalf of or as a cloak for a designated enemy country (Germany) or persons within such country and is a national of such designated enemy country;

16. That Rhodius Koenigs Handelsmaatschappij, N. V. is acting for or on behalf of or as a cloak for a designated enemy country (Germany) or persons within such country and is a national of such designated enemy country;

17. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 3,062 shares of the common stock of Central American Plantations Corporation, heretofore more fully described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby, upon the corrected finding contained in subparagraph 3 above, affirms the vesting under Vesting Order No. 104 of the 128 shares of Central American Plantations Corporation, registered in the name of L. D. Pickering & Co., heretofore more fully described.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending

further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 17, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18741; Filed, November 22, 1943;
11:14 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT LB-6-1]

PHILADELPHIA TRANSPORTATION COMPANY DIRECTION TO SUSPEND CERTAIN OPERATIONS

Pursuant to Executive Orders 8989 as amended, 9156, and 9294, the Act of May 31, 1941, as amended by Title III of the Second War Powers Act, 1942 (56 Stat. 176) and in order to assure the orderly and expeditious movement of necessary passenger traffic and to conserve and providently utilize manpower and existing transportation facilities and service, the attainment of which purposes is essential to the successful prosecution of the war, and after being satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of rubber-borne transportation equipment and facilities for defense and for private account, *It is hereby ordered, That:*

1. Philadelphia Transportation Company, Philadelphia, Pennsylvania, (hereinafter called "carrier"), in the transportation of passengers as a common carrier by bus in the city and suburbs of Philadelphia, Pennsylvania, shall not operate buses over that section of its bus route described in the appendix hereto and designated as Route "D" from the intersection of 55th Street and Chestnut Street, over Chestnut Street to 22nd Street, over 22nd Street to Sansom Street, over Sansom Street to 8th Street, over 8th Street to Locust Street, over Locust Street to 18th Street, over 18th Street to Walnut Street, and over Walnut Street to 57th Street.

2. As used herein, the term "bus" means any rubber-tired vehicle used on the streets, highways, or other thoroughfares in the transportation of passengers.

3. The carrier forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Regional Director, Division of Local Transport, Office of Defense Transportation, Philadelphia, Pennsylvania, and should refer to "Special Order ODT LB-6-1."

This order shall become effective on November 22d, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of November 1943.

JOSEPH B. EASTMAN,
Director
Office of Defense Transportation.

APPENDIX 1—ROUTE D, WALNUT STREET, WYCOMBE

Westbound: From the Intersection of Eighth Street and Sansom Street, on Eighth Street to Locust Street, thence on Locust Street to Eighteenth Street, thence on Eighteenth Street to Walnut Street, thence on Walnut Street to Sixty-second Street, thence on Sixty-second Street to Spruce Street, thence on Spruce Street to the intersection of Sixty-third Street and Marshall Road, thence on Marshall Road to City Line (Cobbs Creek), thence continuing in Delaware County on Marshall Road to Springton Road, Wycombe.

Eastbound: From the intersection of Marshall Road and Springton Road, Wycombe, in Delaware County, on Marshall Road to City Line (Cobbs Creek), thence continuing in Philadelphia on Marshall Road to the intersection of Sixty-third Street and Spruce Street, thence on Spruce Street to Sixty-second Street, thence on Sixty-second Street to Chestnut Street, thence on Chestnut Street to Twenty-second Street, thence on Twenty-second Street to Sansom Street, thence on Sansom Street to Eighth Street.

[F. R. Doc. 43-18732; Filed, November 22, 1943;
11:03 a. m.]

BURTON'S ORCHIDS AND FLOWERS, ET AL., DALLAS, TEX.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 17, as amended, 7 F. R. 5678, 7694, 9623; 8 F. R. 8278, 12750) the florists of Dallas, Texas, listed in Appendix

A hereto, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in the Dallas area.

The participants in the plan propose to eliminate wasteful operations in the transportation and delivery of flowers and related articles in Dallas, Texas, and contiguous municipalities, by the establishment of delivery zones and by pooling their deliveries. They estimate that effectuation of the plan will enable them to reduce their truck mileage by 30 percent or 19,000 truck-miles a year.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 13th day of October 1943.

JOSEPH B. EASTMAN,
Director
Office of Defense Transportation.

APPENDIX A

1. Burton's Orchids and Flowers, 3323 Oak Lawn Avenue, by: M. B. Keith.
2. The Flower Mart, 3731 Maple Avenue, by: Mrs. Claudia Simpkins.
3. Tension Floral Co., 3113 Oak Lawn Avenue, by: Rena T. Slaton.
4. Hudspeth Greenhouse & Flower Shop, 306 Fairmount Street, by: Mrs. Harry E. Hudspeth.

[F. R. Doc. 43-18781; Filed, November 23, 1943;
10:23 a. m.]

FLORISTS IN ELMIRA, N. Y.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 17, as amended, 7 F. R. 5678, 7694, 9623; 8 F. R. 8278, 12750) the florists of Elmira, New York, listed in Appendix A hereto, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in Elmira and other municipalities in Chemung County, New York.

The participants in the plan propose to eliminate wasteful operations in the transportation and delivery of flowers and related articles to wholesale and retail customers in Elmira, Elmira Heights, Horseheads, Wellsburg, and Big Flats, New York, by pooling deliveries and by

jointly operating a delivery truck. The participants will continue to operate separate vehicles for deliveries to customers within the area-only in emergencies and on occasions when the pool truck is inadequate to handle the volume. Shipments delivered to common carriers for the transportation to points outside Chemung County are not affected by the plan. The participants estimate that effectuation of the plan will result in savings of 37,000 truck-miles a year. Joint selling activities are not contemplated.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 13th day of October 1943.

JOSEPH B. EASTMAN,
Director

Office of Defense Transportation.

APPENDIX A

1. Woolf's Flower Shop, by: L. E. Woolf, Owner.
2. P. M. Buell Floral Company, by: Paul M. Buell, Owner.
3. Tinney's Flowers, by: Herbert A. Tinney, Owner.
4. Rudy's Greenhouses, by: Edward A. Clauss, Owner.
5. Riverside Flowers, by: E. Edward Lepkowski, Owner.
6. Jay Parker's Florist, by: Jay H. Parker, Owner.
7. Sheely Brothers, by: Burr T. Sheely, Manager.
8. Elmira Floral Products Company, by: H. C. Hoffman, Partner.

[F. R. Doc. 43-18782; Filed, November 23, 1943; 10:23 a. m.]

GROCERS IN ATCHISON, KANS.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials, and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 12750) Nass Bros. Grocery and 22 other retail grocers of Atchison, Kansas, named in Appendix 1 hereof, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery of groceries by motor vehicle in Atchison.

The participants plan to deliver food products only on Tuesday and Friday in each week, and anticipate that adoption of the plan, involving 22 vehicles, will result in a substantial saving of mileage and gasoline.

sult in a substantial saving of mileage and gasoline.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommended that the Chairman of the War Production Board find and certify under section 12 of Public Law 603, 77th Congress (56 Stat. L. 357) that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 19th day of October 1943.

JOSEPH B. EASTMAN,
Director

Office of Defense Transportation.

APPENDIX 1

1. Herman J. Nass, et al., doing business as Nass Bros. Grocery.
2. Chas F. Haase, doing business as Haase Grocery.
3. Geo. W. Intfen, doing business as Intfen Grocery.
4. M. W. Schappler, doing business as Schappler's Grocery.
5. P. L. Arensberg, doing business as Arensberg Food Store.
6. Herman Friedman, doing business as Central Market.
7. E. A. Zabel, et al., doing business as Zabel Bros.
8. R. B. Smart, doing business as Smart's Grocery.
9. F. Koebrich, et al., doing business as Koebrich Bros.
10. Leo G. Tappen, doing business as Tappen Grocery.
11. Roy S. G. Winrow, et al., doing business as Winrow Bros.
12. Henry R. Hagen, et al., doing business as August Hagen.
13. Harry Van Liew, et al., doing business as Van Liew Bros.
14. Paul J. Schmitt.
15. John D. Meyer, et al., doing business as Meyer-Eberly.
16. Ernest Seybold, doing business as Seybold's Grocery.
17. J. Donaldson, doing business as Donaldson Food Grocery.
18. Mrs. L. F. Chew, et al., doing business as Louis F. Chew.
19. Marie Welters, doing business as Arensberg 4th Street.
20. Leo C. Ruhlman, et al., doing business as Ruhlman Bros.
21. B. B. Huey, doing business as Meyer's Grocery.
22. Mrs. E. M. Cole, doing business as Cole's Grocery.
23. C. A. Van Liew.

[F. R. Doc. 43-18783; Filed, November 23, 1943; 10:24 a. m.]

FLORISTS IN DETROIT, MICH.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials, and supplies (General

Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 12750), the florists listed in Appendix A hereto, have filed with the Office of Defense Transportation for approval of a joint action plan relating to the transportation and delivery of flowers and related articles by motor vehicle in the metropolitan area of Detroit and the suburbs of Grosse Pointe, Grosse Pointe Park, Grosse Pointe Farms, Grosse Pointe Shores, and Grosse Pointe Woods, Michigan.

The participants in the plan propose to eliminate wasteful operations by pooling deliveries of their merchandise and establishing a non-profit corporation to acquire motor vehicle equipment and perform delivery service for them at cost. Delivery routes will be devised in such way as to effect the greatest possible saving of mileage without favoring any participant. Two vehicles will be used for making deliveries, and a designated participant will furnish a stand-by vehicle for use for peak loads and emergencies. The operation of five vehicles will be discontinued. The participants anticipate that effectuation of the plan will result in substantial mileage reduction.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law 603, 77th Congress (56 Stat. L. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 18th day of October 1943.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

APPENDIX A

1. Euclid Flower Shop, by: Euclid Gouin.
2. Marvin F. Klang and John H. Klang, by: Marvin F. Klang, John H. Klang, Jr.
3. Rosegarden Flower Shop, by: Dan B. Burns.
4. Viviano Flower Shop, by: Frank P. Viviano.
5. Alger Florist Shop, by: Murray Jackson.
6. Rainbow Flower Shop, by: Albert F. Lundgren.
7. Warren Chalmer Florist, by: Carl Wm. Grochans.
8. Parklane Flower Shop, by: Sam Pack.

[F. R. Doc. 43-18784; Filed, November 23, 1943; 10:23 a. m.]

COAL DEALERS OF LA JUNTA, COLO.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equip-

ment, materials and supplies, (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 12750) La Junta Ice and Storage Co., The La Junta Milling and Elevator Co., Ralph Ludlum, E. C. Chapman, La Junta Trading Co., The Trail Lumber Co., and Taylor Lumber Co., have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of coal in La Junta, Colorado.

The participants in the plan propose to eliminate wasteful operations in the transportation and delivery of coal in La Junta by not accepting orders for deliveries of less than one-half ton at a time, and by dividing the city into two delivery areas and providing that no deliveries will be scheduled to any place in an area unless the truck is to leave the yard fully loaded with coal to be delivered in that area.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. L. 357) that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 18th day of October 1943.

JOSEPH B. EASTMAN,
Director

Office of Defense Transportation.

[F. R. Doc. 43-18785; Filed, November 23, 1943; 10:24 a. m.]

OFFICE OF ECONOMIC WARFARE.

[Case 21]

INTERNATIONAL TECHNIC, INC., AND CHARLES MITCHELL

ORDER AMENDING AND DENYING LICENSES

In the matter of International Technic, Inc., and Charles Mitchell, 381 Fourth Avenue, New York, New York.

On November 4, 1943, I issued an order in the above entitled cause denying to the respondents, International Technic, Inc., and Charles Mitchell and any person, association or organization acting in behalf or for the account of them, the privilege of obtaining individual or any other type of export license or release certificate and denying also to them the use of any general or other type of export license authorizing any exportation whatsoever from the United States until March 31, 1944, and also ordering that all presently outstanding export licenses issued to the respondents or any of them be cancelled (8 F.R. 15544)

Under date of November 11, 1943, counsel for respondents submitted a

lengthy letter and numerous enclosures, all designed to show that there were a host of special circumstances surrounding the respondents' business which had not been earlier disclosed. This supplemental information has, with the consent of counsel, been incorporated into the record.

The regulations under which this proceeding is held entitles the respondents to a timely appeal to the Assistant Director in charge of the Office of Exports from my decision: Because at this time that position is vacant, thereby in effect denying to the respondents a right to have my decision quickly reviewed, I have agreed to reconsider my earlier order in the light of the supplemental information and have concluded to modify the November 4 order by shortening the period of suspension from March 21, 1944 to December 31, 1943. In all other respects the order of November 4 remains unchanged; and it is so ordered.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong., Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951, Delegation of Authority 47, 8 F.R. 8529; E.O. 9361, 8 F.R. 9861 and Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081)

Dated: November 18, 1943.

C. VICTOR BARRY,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-18813; Filed, November 23, 1943; 11:25 a. m.]

EASTERN SMELTING & REFINING CORP.

ORDER DENYING LICENSING PRIVILEGES

Pursuant to Part 807 of the regulations, adopted under section 6 of the Act of July 2, 1940, as amended, the Trade Intelligence Division, Office of Exports, Office of Economic Warfare, Foreign Economic Administration, charged the respondents, Eastern Smelting & Refining Corporation and Maurice G. Alperin, Treasurer with the violation of section 6 of the Act of July 2, 1940, as amended, and the regulations adopted pursuant thereto. After due notice respondents filed a written answer in accordance with § 807.6 of said regulations, and the Trade Intelligence Division filed a memorandum of rebuttal.

Kelly Kash, Compliance Commissioner for the Office of Economic Warfare, Foreign Economic Administration received the evidence presented and after due consideration of the record on the 13th day of November 1943 filed his findings of fact and recommendation in this matter.

Said findings show that respondent, Eastern Smelting & Refining Corporation is a corporation located at 107-109 West Brookline Street, Boston, Massachusetts; that respondent, Maurice G. Alperin, is treasurer of said corporation and active in its management; that the said corporation was, on the dates hereinafter named and still is, engaged in the business of smelting and refining ores for precious metals and in the related business of importing and exporting such products; that on or about December 15,

1942, respondents caused to be filed with the Board of Economic Warfare a license application for the exportation of 50 troy ounces of pure platinum valued at \$2,000.00 and 16 troy ounces of pure palladium valued at \$488.00; that in the said application respondents stated and represented that the said license would be used to export certain products to Antonio Jourdan Y Cia of Montevideo, Uruguay that the said license application and in a letter of transmittal under date of December 15, 1942, it is stated by respondents that the said platinum and palladium to be shipped represented returns procured from a receipt of sweepings from the said Antonio Jourdan and which were to be processed and refined; that in said letter of transmittal, and in an earlier letter of October 20, 1942 from respondents to the Board of Economic Warfare, it was stated that respondents were returning the products covered by the said license application to the said corporation in Uruguay, such returns having been derived from the quantity of sweepings and waste shipped to respondents from Antonio Jourdan; that although said license application called for 50 ounces of platinum and 16 ounces of palladium as returns from said sweepings, respondent had previous knowledge that said sweepings contained only 7.550 troy ounces of pure platinum and 1.021 troy ounces of pure palladium of an aggregate value of \$761.97; that the 50 ounces of platinum and 16 ounces of palladium set forth in said license application only in part represented returns from sweepings forwarded to respondents by Antonio Jourdan; that upon the license application filed by respondents before the then Board of Economic Warfare on December 15, 1942, a license was granted on January 18, 1943 authorizing respondent corporation to ship the said 50 ounces of platinum and 16 ounces of palladium to Antonio Jourdan Y Cia, the license containing the following statement:

This Certificate of Necessity attached

This material is to be used for the manufacture of jewelry. This return is based upon the receipt of a shipment of Preferred Sweepings to be processed and refined. The shipper prefers metal above cash.

that there were not two separate transactions in which respondents had applied for license, one to cover return from sweepings and one to cover the 50 ounces of platinum and 16 ounces of palladium here referred to; that in fact the license application of December 15, 1942 and the license granted on January 18, 1943 covered the 50 ounces and the 16 ounces of platinum and palladium, which amounts were stated in the license as covering returns from sweepings; that after the license was granted and on or about February 23, 1943, Maurice G. Alperin, representing respondent corporation, appeared at the office of Harold P. Smith, Regional Manager, United States Department of Commerce, in Boston, and made some inquiry concerning the license referred to herein; that Mr. Smith did not authorize, nor did he have any authority to authorize, shipment or

export of any product by the said license except according to the strict terms of the license; that the 50 ounces of platinum and 16 ounces of palladium were shipped by respondents by Pan American International Air Express Service on February 24, 1943 to the said Antonio Jourdan Y Cia in Montevideo, Uruguay, the said products having been delivered by respondents to the carrier on that date; that respondents did not receive notice of any purpose or intention on the part of the Board of Economic Warfare to cancel the said license until an effort was made by the said Board on March 19, 1943 to cancel same; that said effort was made after the product had been actually delivered by the respondents to the carrier and shipped; that respondents knowingly applied for license for exportation of 50 ounces of pure platinum and 16 ounces of pure palladium, representing that the said return was based upon receipt of the shipment of the preferred sweepings to be processed and refined, when in fact respondents knew at that time that returns for the sweepings were far less than that amount; that the respondents applied for and accepted a license in which there were misrepresentations as to the source of the product to be shipped, and as to the quantity of the returns from the sweepings; and that respondents by making said misrepresentations in said application, by procuring a license by means of said misrepresentations and by exporting commodities pursuant to said license did violate Section 6 of the Act of July 2, 1940, as amended, and the regulations and executive orders promulgated pursuant thereto. The Commissioner has recommended that the respondents be denied export licensing privileges for a period of six months, dating from September 23, 1943.

The undersigned, having considered the findings and the recommendations of the Compliance Commissioner, has determined that the findings of fact are supported by the record evidence and adopts the conclusion of the Compliance Commissioner.

Now, therefore, it is determined and ordered that the respondents, Eastern Smelting and Refining Corporation and Maurice G. Alperin, Treasurer, and any person, association or organization acting in behalf or for the account of them be and each of them is hereby denied the privilege of obtaining individual, or any other type of export license, or release certificate and is denied the use of any general or other type of export license authorizing any exportation whatsoever from the United States until March 23, 1944, and that all presently outstanding export licenses issued to said respondents or any of them be and the same are hereby revoked.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong., Order No. 233—4

3 and Delegation of Authority 25, 7 F.R. 4951, Delegation of Authority 47, 8 F.R. 8529; E.O. 9361, 8 F.R. 9861 and Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081)

Dated: November 17, 1943.

C. VICTOR BARRY,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-18814; Filed, November 23, 1943;
11:25 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under MPR 170]

McKNIGHT VENEERS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 1 under § 1384.7 (c) of Maximum Price Regulation No. 176. Rotary cut Southern hardwood box lumber.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is ordered:

(a) McKnight Veneers, Inc., of Helena, Arkansas, may sell and deliver Rotary-Cut Southern Hardwood Box Lumber (box grade veneer) and any person may buy Rotary Cut Southern Hardwood Box Lumber from said McKnight Veneers, Inc., at prices no higher than hereinafter set forth:

MAXIMUM PRICES F. O. B. MILL FOR ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER SOLD BY McKNIGHT VENEERS, INC.

| Thickness (inches) | Length | |
|--------------------|---------------------|-------------------|
| | Less than 62 inches | 62 inches or over |
| 3/4 | Per M'BM \$54.09 | Per M'BM \$57.63 |
| 7/8 | 61.29 | 67.63 |
| 1 1/8 | 63.29 | 69.00 |
| 1 1/4 | 63.29 | 69.00 |
| 1 1/2 | 62.29 | 64.93 |
| 1 3/4 | 62.29 | 64.93 |

For cottonwood, add \$3.00 per M'BM.

(b) Except as modified herein, all provisions of Maximum Price Regulation No. 176—Rotary Cut Southern Hardwood Box Lumber, shall apply to sales and purchases covered by this order.

(c) All prayers of the application not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 23, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18757; Filed, November 23, 1943;
4:40 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on November 20, 1943.

REGION I

Concord, Order No. 8, filed 12:47 p. m.

REGION II

Binghamton, Order No. 8, filed 12:50 p. m.
Harrisburg, Order No. 11, filed 3:46 p. m.
Maryland, Order No. 10, filed 12:47 p. m.
Maryland, Order No. 11, filed 12:46 p. m.

REGION III

Cincinnati, Order No. 1-F, Amendment No. 2, filed 12:47 p. m.
Cincinnati, Order No. 7, Amendment No. 5, filed 3:45 p. m.
Lexington, Order No. 1-F, Amendment No. 4, filed 12:49 p. m.
Lexington, Order No. 4, Amendment No. 2, filed 3:46 p. m.
Lexington, Order No. 6, Amendment No. 3, filed 3:47 p. m.
Lexington, Order No. 7, Amendment No. 2, filed 3:45 p. m.
Lexington, Order No. 8, Amendment No. 3, filed 3:47 p. m.
Lexington, Order No. 9, Amendment No. 2, filed 3:46 p. m.
Lexington, Order No. 10, Amendment No. 2, filed 3:46 p. m.
Lexington, Order No. 11, Amendment No. 2, filed 3:46 p. m.
Louisville, Rev. Order No. 5, Amendment No. 2, filed 12:51 p. m.
Louisville, Rev. Order No. 6, Amendment No. 2, filed 12:51 p. m.
Louisville, Rev. Order No. 7, Amendment No. 2, filed 12:50 p. m.
Louisville, Order No. 8, Amendment No. 2, filed 12:50 p. m.
Louisville, Order No. 9, Amendment No. 1, filed 12:50 p. m.

REGION IV

Jacksonville, Order No. 1-F, Amendment No. 2, filed 12:49 p. m.
Nashville, Order No. 2-F, Amendment No. 6, filed 12:47 p. m.
Savannah, Order No. 1-F, Amendment No. 10, filed 12:50 p. m.
Savannah, Order No. 2-F, Amendment No. 5, filed 12:49 p. m.
Savannah, Order No. 3-F, Amendment No. 3, filed 12:49 p. m.
Savannah, Order No. 4-F, Amendment No. 2, filed 12:49 p. m.

REGION V

St. Louis, Order No. 9, filed 12:48 p. m.
St. Louis, Order No. 10, filed 12:48 p. m.

REGION VII

Montana, Order No. 36, filed 12:46 p. m.
Montana, Order No. 37, filed 12:46 p. m.
Montana, Order No. 38, filed 12:46 p. m.

REGION VIII

San Francisco, Order No. 6, Amendment No. 1, filed 12:47 p. m.

Copies of these orders may be obtained from the issuing officers.

ERVEN H. POLLACK,
Secretary.

[F. R. Doc. 43-18795; Filed, November 23, 1943;
11:15 a. m.]

[Region VI Order G-9 Under MPR 122]

SOLID FUELS IN ARGYLE, WIS.

Order No. G-9 under § 1340.259 (a) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Coal prices in Argyle, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers, it is ordered:

(a) *Adjusted maximum prices.* The maximum prices for the sale of solid fuels delivered at or from an establishment located within the City of Argyle, Wisconsin, shall be the prices established under Revised Maximum Price Regulation No. 122, plus 90¢ per ton.

(b) *Lower prices may be charged.* Any dealer may charge lower prices than those authorized by this order.

(c) *Customary price differentials.* No dealer shall change his customary allowances, discounts or other price differentials unless such change results in prices lower than the prices permitted by this order (after applying the dealer's customary allowances, discounts or other price differentials).

(d) This order may be revoked, amended or modified at any time.

(e) This order shall become effective November 19, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of November 1943.

RAYMOND S. McKEOUGH,
Regional Administrator

[F. R. Doc. 43-18794; Filed, November 23, 1943;
11:15 a. m.]

[Houston Order G-1 Under General Order 50,
Amtd. 2]

MALT BEVERAGES IN HOUSTON, TEX., DISTRICT

Amendment No. 2 to Order No. G-1 under General Order No. 50. Domestic and imported malt beverages for eating and drinking establishments in the Houston, Texas, district.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, Houston District Order No. G-1 under General Order No. 50 is hereby amended in the following respects:

Section 9 (b) is hereby amended to read as follows:

(b) The maximum prices for the sale of beverage items listed in the preceding paragraph (a) includes any and all services offered in connection with the sale of such items as offered during the period April 4 to 10, 1943. No additional amount shall be assessed or collected by any "eating or drinking place" subject to this regulation for any services offered in connection with the sale or purchase of beverage items, such as table service, membership charges, admission, entertainment, waiter, ice, cover or any other service charges other than the amounts

assessed or collected for such services during the period April 4 to 10, 1943, which were filed with the appropriate War Price and Rationing Board as required by General Order No. 50; provided that nothing in this section shall be construed or interpreted to prevent the making of such charges as are permitted under section 8 (a) (3) of Restaurant Maximum Price Regulation No. 5-2, as amended. Lower charges may be collected.

This Amendment No. 2 to Order G-1 under General Order No. 50 for the Houston District shall become effective October 15, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, Gen. Order No. 50, 8 F.R. 4808)

Issued at Houston, Texas, this 9th day of October 1943.

STEPHEN J. TULLY, Jr.,
District Director

[F. R. Doc. 43-18793; Filed, November 23, 1943;
11:15 a. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 12]

CALIFORNIA APPEAL BOARDS

DIRECTOR'S ORDER OF ESTABLISHMENT AND DISESTABLISHMENT

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., App. and Sup. 301 et seq.) E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177 and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, and in accordance with the recommendations of the Honorable Earl Warren, Governor of the State of California, and Colonel Kenneth H. Leitch, State Director of Selective Service for the State of California, I hereby order and direct:

1. That the State Director of Selective Service for the State of California is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 12 to 17, inclusive, State of California, and to establish one board of appeal area coextensive with the County of Los Angeles, State of California.

2. That the present members of Boards of Appeal numbered 13 to 17, inclusive, State of California, are hereby transferred to and appointed as members of Board of Appeal No. 12, State of California, and such members, together with the persons now serving as members of Board of Appeal No. 12, State of California, are appointed and assigned to the groups of such Board of Appeal No. 12, shown on Exhibit A attached hereto.

LEWIS B. HERSHEY,
Director

NOVEMBER 22, 1943.

BOARDS OF APPEAL No. 12—MEMBERS

Group No. 1 (former members of Board of Appeal No. 12, Group No. 1). Al Speede, Ross Welch, Gordon Lawson, Dr. Raymond Sands, Y. Frank Freeman.

Group No. 2 (former members of Board of Appeal No. 12, Group No. 2). George E. Ellicott, Richard R. Smith, Dr. Herbert J. Andrews, James G. Leovy, Harlan G. Palmer.

Group No. 3 (former members of Board of Appeal No. 13, Group No. 1). Joseph H. Washburn, J. R. Pemberton, Paul M. Gregg, Elmer G. Hotchkiss, Dr. Philip Stephens.

Group No. 4 (former members of Board of Appeal No. 13, Group No. 2). William B. Munro, Dr. William Gibbs, Robert F. Jennings, W. D. Persons, James T. Jenkins.

Group No. 5 (former members of Board of Appeal No. 14, Group No. 1). Benjamin F. Rosenfelt, Dr. W. A. Swim, Reuben O. Bourne, Max J. Hammel, Homer I. Mitchell.

Group No. 6 (former members of Board of Appeal No. 14, Group No. 2). Charles L. Jones, Dr. James Lawrence Butka, Otto J. Emme, Fred S. Hilpert, Charles G. Adams.

Group No. 7 (former members of Board of Appeal No. 15, Group No. 1). W. Gerard Tuttle, Joseph A. Ball, George E. Triggs, Dr. F. B. Settle, Earl Thomas.

Group No. 8 (former members of Board of Appeal No. 15, Group No. 2). John B. Nettleman, Dr. George A. Bendlage, Ralph H. Clock, George Gallagher, John J. Bliss.

Group No. 9 (former members of Board of Appeal No. 16, Group No. 1). Hubert T. Morrow, William B. Coberly, Dr. A. A. Blatherwick, Leo Pierson, Byron L. Livingston.

Group No. 10 (former members of Board of Appeal No. 16, Group No. 2). Martin Rupprecht, Dr. Mackall R. Bruhn, James H. Mitchell, Nels K. Anderson, Harry C. Linkins.

Group No. 11 (former members of Board of Appeal No. 17, Group No. 1). Enos Snyder, W. A. Holt, A. I. McCormick, Fox Case, Dr. Harlan Shoemaker.

Group No. 12 (former members of Board of Appeal No. 17, Group No. 2). C. J. Haggerty, J. J. Sugarman, Dr. Elliot Alden, Robert S. Redington, Maurice Saeta.

[F. R. Doc. 43-18754; Filed, November 22, 1943;
4:05 p. m.]

WAR FOOD ADMINISTRATION.

ROTENONE INSECTICIDE

DELEGATION OF AUTHORITY

The authority vested in me by Food Production Order No. 13, Revision No. 1, (8 F.R. 15809) is hereby delegated to the Chief, Chemicals and Fertilizers Division, Office of Materials and Facilities, War Food Administration.

Issued this 22d day of November 1943.

J. W. MILLARD,
Acting Director

Office of Materials and Facilities.

[F. R. Doc. 43-18753; Filed, November 22, 1943;
11:34 a. m.]

FARM LABOR SUPPLY CENTERS

AUTHORITY REGARDING EXECUTION OF AGREEMENTS FOR PAYMENTS IN LIEU OF TAXES

1. Pursuant to the authority delegated to me by the Assistant War Food Administrator in "Delegation of Authority—Agreements for Payments in Lieu of Taxes, Farm Labor Supply Centers" dated November 10, 1943, the Chief of the Interstate and Foreign Labor Branch, Office of Labor, is hereby authorized to perform on my behalf the following powers and functions:

To execute agreements for the payment by the United States of sums in lieu of taxes, pursuant to the provisions of the Bankhead-Black Act, 49 Stat. 2035, 40 U.S.C. sections 431 et seq., and findings of fact in connection therewith, on ac-

count of farm labor supply centers heretofore transferred "on loan" from the Farm Security Administration to the Office of Labor of the War Food Administration, and to perform such additional functions in connection with such agreements as are specified to be performed by the Director of Labor in (1) Office of Labor Memorandum No. 21, "Agreements Respecting Payments in Lieu of Taxes" dated November 18, 1943, and (2) "Memorandum of Agreement between the Farm Security Administration and the Office of Labor, War Food Administration, Respecting Procedure for Negotiation of Agreements for Payments in Lieu of Taxes Covering Farm Labor Supply Centers" dated November 17, 1943.

2. The provisions of this memorandum shall be effective immediately.

Issued this 20th day of November 1943.

PHILIP BURTON,
Director of Labor

[F. R. Doc. 43-18766; Filed, November 22, 1943;
4:53 p. m.]

WAR PRODUCTION BOARD.

[Certificate 165]

FLORISTS IN DALLAS, TEX.

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by Burton's Orchids and Flowers and certain others in the transportation and delivery by motor vehicle of flowers and related articles in the Dallas, Texas, area.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

NOVEMBER 18, 1943.

[F. R. Doc. 43-18776; Filed, November 23, 1943;
10:23 a. m.]

¹ *Supra.*

[Certificate 169]

FLORISTS IN ELMIRA, N. Y.

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by Woolf's Flower Shop and certain others in the transportation and delivery of flowers and related articles by motor vehicle in Elmira and other municipalities in Chemung County, New York.¹

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

NOVEMBER 18, 1943.

[F. R. Doc. 43-18777; Filed, November 23, 1943;
10:23 a. m.]

[Certificate 167]

GROCERS IN ATCHISON, KANS.

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by Nass Bros. Grocery and certain others in the transportation and delivery by motor vehicle of groceries in Atchison, Kansas.¹

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

NOVEMBER 18, 1943.

[F. R. Doc. 43-18778; Filed, November 23, 1943;
10:23 a. m.]

[Certificate 163]

FLORISTS IN DETROIT, MICH.

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by Euclid Goun and certain others in the transportation and delivery of flowers and related articles by motor vehicle in the metropolitan area of Detroit, Michigan, and certain suburbs.¹

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

NOVEMBER 18, 1943.

[F. R. Doc. 43-18779; Filed, November 23, 1943;
10:23 a. m.]

[Certificate 169]

COAL DEALERS IN LA JUNTA, COLO.

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by La Junta Ice and Storage Co. and certain others in the transportation and delivery by motor vehicle of coal in La Junta, Colorado.¹

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

NOVEMBER 18, 1943.

[F. R. Doc. 43-18780; Filed, November 23, 1943;
10:24 a. m.]

